



DIOCESE OF  
**LISMORE**

# SAFEGUARDING CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS

THE CATHOLIC DIOCESE OF LISMORE POLICY & PROCEDURES HANDBOOK  
SAFEGUARDING CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS



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## INTRODUCTION

The Catholic Diocese of Lismore is wholly committed to creating and maintaining an environment that is safe, supportive, caring and nurturing for all children, young people and vulnerable adults in its care.

In fulfilling this responsibility, the Safeguarding Office has developed a Handbook with a variety of procedures that work together to protect children and vulnerable adults from harm and respond swiftly and appropriately in the rare but regrettable circumstances in which children or vulnerable adults are harmed or at risk of being harmed. These procedures seek not only to ensure safety, well-being and dignity within the Diocese's parishes and agencies, but also outside the Church environment, in the event that a member of the Diocese learns of a matter of concern.

This Handbook, and its procedures, are governed by current legislation and ensure the Diocese complies with all legislative requirements and is accountable, and transparent, in all ministries undertaken. However, this Handbook goes beyond legal obligations and ensuring due process. It endeavours to create an environment in which our children and vulnerable adults will flourish, and will guide all in the parishes and pastoral communities to take responsibility for creating and maintaining a safer community. It is also developing a community environment where children and vulnerable adults know that their community:

- is alert to areas of risk and harm;
- is capable of applying appropriate actions of prevention;
- is confident to voice their concerns; and
- has trust that their concerns will be listened to respectfully and seriously.

These actions create a culture of safety and care, which contribute to the **ten (10) Child Safe Standards** as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse and now legislatively and administratively regulated by the Office of Children's Guardian. The Diocese of Lismore is committed to working with parishes and relevant agencies to implement the standards to fulfil our obligations of leadership, compliance and commitment to child safety and wellbeing.

The Diocese of Lismore has zero tolerance to abuse or exploitation of children, young people and vulnerable adults. All members of the Diocesan family will work together for the protection of these people and for the prevention of any form of abuse, neglect or exploitation – physical, sexual, emotional or spiritual – within our church communities and organisations.

## COMMITMENT TO SAFEGUARDING STATEMENT

The emotional, physical and spiritual well-being and dignity of all people is an integral part of the Catholic Church. The Diocese of Lismore is committed and dedicated to safeguarding all those within our community, especially children, young people and vulnerable adults.

The Diocese of Lismore is committed to fostering communities of safety and care. We acknowledge our legal, moral, and spiritual responsibilities to care for - and uphold the dignity and rights of - children, young people, and vulnerable adults.

The Diocese of Lismore has;

1. a zero tolerance to the abuse or neglect of children, young people or vulnerable adults and commit to acting in their best interests at all times;
2. established a policy and developed a range of procedures that work together to protect, and, where required, to respond immediately and compassionately to any harm, or risk of harm; and
3. safeguarding procedures and practices underpinned by legislation – ensuring ongoing compliance, accountability and transparency in all ministries undertaken by the Church.

Creating safe environments is a dynamic process that involves active participation and responsibility by parishes, schools, families and communities. Safe environments are marked by collaboration, vigilance and a proactive approach to safeguarding. Workers have a responsibility to safeguard children, young people and the vulnerable through promoting their welfare, health and development in a safe and caring environment. All workers, including clergy, employees and volunteers are to be educated as to their responsibilities to undertake their roles in a way that enhances a safe and caring environment.



**BISHOP of LISMORE**  
— GREGORY HOMEING OCD —

*+ Gregory Homeing*

## TEN CHILD SAFE STANDARDS

The Royal Commission recommended 10 Child Safe Standards, drawing on its findings and extensive research and consultation about what makes organisations safe:



- |                     |  |
|---------------------|--|
| <b>Standard 1:</b>  | Child safety is embedded in organisational leadership, governance and culture  |
| <b>Standard 2:</b>  | Children participate in decisions affecting them and are taken seriously   |
| <b>Standard 3:</b>  | Families and communities are informed and involved   |
| <b>Standard 4:</b>  | Equity is upheld, and diverse needs are taken into account   |
| <b>Standard 5:</b>  | People working with children are suitable and supported  |
| <b>Standard 6:</b>  | Processes to respond to complaints of child abuse are child focused  |
| <b>Standard 7:</b>  | Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training |
| <b>Standard 8:</b>  | Physical and online environments minimise the opportunity for abuse to occur   |
| <b>Standard 9:</b>  | Implementation of the Child Safe Standards is continuously reviewed and improved   |
| <b>Standard 10:</b> | Policies and procedures document how the organisation is child safe  |

The NSW Government has delegated the Office of the Children's Guardian responsibility for ensuring compliance with the Child Safe Standards for all organisations working with children and young people.

For more information visit the Office of the Children's Guardian (NSW)

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/training-and-resources/child-safe-resources/child-safe-standards>

OR

Final Report of the Royal Commission into Institutional responses to Child Abuse

<https://www.childabuseroyalcommission.gov.au/making-institutions-child-safe>

## RELATED POLICIES

This handbook is to be read in conjunction with Diocesan policies, including but not limited to:

- *Code of Conduct*  
The Code of Conduct sets down the behavioural standards and expectations of all workers engaged by the Diocese of Lismore
- *Safeguarding Children, Young People and Vulnerable Adults Policy*  
This policy makes an unequivocal statement on the Diocese's commitment to safety, welfare and wellbeing of children, young people and vulnerable adults, and ensures that all workers understand and fulfil their legal and ethical obligations.
- *Child Protection Policy*  
This policy sets out the expectations required of workers, and informs the standards of behaviour, obligations and other requirements that must be adhered to when working with children.
- *Working With Children Check Policy and National Police History Check Policy*  
These policies set down the process for ensuring that workers have had the appropriate background screening and risk assessments undertaken prior to and during their engagement with the Diocese.
- *Complaints Handling Policy*  
This policy ensures that workers understand why they need to manage complaints, the process for doing so and how complaints can be used to improve the quality of service delivery.
- *Recruitment Policy*  
This policy sets down the process for the engagement of employees by the Diocese of Lismore.
- *Social Networking Policy*  
This policy contains the expectations of all workers when using social media.
- *Acceptable use of Electronic Communication Systems (including email) and Devices Policy*  
This policy is to inform workers of their obligations and responsibilities when using electronic communication systems and devices for work – related purposes and, in limited circumstances, personal purposes.
- *Volunteers Policy:*  
This policy ensures workers know how to engage volunteers, and their obligations.

## PROCEDURES

### 1. SAFEGUARDING ROLES AND RESPONSIBILITIES

The person with primary responsibility for dealing with child, and vulnerable adult, protection issues in the Diocese is the Bishop in his relevant capacity, or his delegate. The Bishop, as Head of Relevant Entity, has delegated the Safeguarding Manager to directly manage all allegations of reportable conduct for all parishes, ministries and some agencies. However, all persons within the parishes and agencies who have contact with children and vulnerable adults are accountable for helping ensure their safety, well-being and dignity. These responsibilities include:

- being caring, respectful and compassionate towards children, young people and vulnerable;
- complying with all legal requirements relating to child protection; including:
  - complying with any relevant screening obligations; and
  - reporting matters of concern relating to the safety, well-being and dignity of children to the appropriate person, including the NSW Police, where appropriate;
- complying with the Diocese' child protection policy and procedures that ensure all reasonable steps are taken to protect children and vulnerable adults from all forms of harm;
- cooperation with any internal or external investigation regarding the safety, well-being and dignity of a child, young person or vulnerable adult;
- practices and interventions that continually build a culture of safety, characterised by respect, fairness and the development of mutual trust and reconciliation;
- training in safeguarding and ongoing professional development;
- promotion of open communication, tolerance and positive relationships;
- signing and complying with the Diocesan *Code of Conduct*

#### Parish Priest/Administrator/Supervisor

People in supervisory or leadership type roles play a key role in modelling expected behaviour and the training of workers. People in such positions can minimise risks to children and the vulnerable by:

- adopting recruiting and selection practices which safeguard children and the vulnerable;
- ensuring that workers who undertake activities with children and the vulnerable understand their duties and responsibilities and have clearly articulated and documented role descriptions;
- providing appropriate training, and understanding of obligations, for those working with children and the vulnerable
- supporting and encouraging a safe and secure environment;
- adopting a proactive response to inappropriate behaviour by workers;
- responding to complaints, suspicions and/or allegations in a prompt and professional manner; and
- ensuring victimisation is not tolerated.



## Workers including Employees, Volunteers and Students on placement working with children and the vulnerable

Diocesan workers whether they are employees, volunteers or students need to be screened, prepared, nurtured and supported to undertake their ministry and/or agency activities.

There is an expectation that employees, volunteers and students on placement who work with children and vulnerable adults will:

- report issues, activities, equipment, policies and work practices that are unsafe and potential areas of risk;
- engage in appropriate behaviour;
- use appropriate language and interactions that empower those they serve and/or work with;
- provide the highest standard of service provision;
- participate in professional training and development; and
- understand the requirements of their role.

To achieve the above outcomes, volunteers and employees will need to participate in:

- a recruitment and selection process;
- an induction into the organisation;
- training in the role; and
- performance feedback or an appraisal system (as required).

## Families and Carers

Families and carers can support a Parish/Agency by:

- providing children and vulnerable adults with the required support to participate in the various activities including teaching self-protective behaviours;
- taking part in the planning, management and delivery of activities, where appropriate;
- reporting when a child or vulnerable adult is experiencing bullying or harassment whilst participating in an activity/service; and
- reporting when there is a suspicion that someone is being abused or harmed whilst participating in an activity/service.

Where practicable, there is also a need to encourage children and the vulnerable in the Diocese's care to contribute to a safe environment by:

- showing respect towards other children and adults;
- being mindful of situations that may place them at risk of harm; and
- speaking up when they may experience or observe inappropriate behaviour or unsafe situations.

## 2. PREVENTING, RECOGNISING AND RESPONDING TO HARM AND ABUSE

### 2.1 PREVENTION AND PROTECTION PRACTICES

#### Safe Recruitment and Selection Practices

A key preventative strategy in safeguarding children and vulnerable adults is to make clear to all who are involved that it is a safe, protective and vigilant environment. Compliance with this strategy will be undertaken by the Diocesan Safeguarding Office and Human Resources through close monitoring and regular internal audits.

It is important that all possible steps are taken to prevent unsuitable people working in parishes/agencies. While the vast majority of people who want to work with children and vulnerable are well-motivated, effective recruitment and selection procedures will help identify the right people to work with children and vulnerable adults, and discourage those who are unsuitable from applying. It also means that potential workers are learning right from the beginning about the priorities, values and practices of the Diocese of Lismore when working with children and vulnerable adults.

When recruiting Diocesan workers, ensure safe practices by following the recommended steps of:

- having position descriptions for each role, which defines the positions, tasks, and the skills and experience required;
- asking the recommended child-related interview questions;
- ensuring the candidate is screened appropriately (including reference check, police check and Working with Children Check);
- presenting the selected applicant with an engagement letter/employment contract;
- completing an induction process with the new employee/volunteer;
- entering volunteers details into the volunteer register.

It is important to read this section in conjunction with the Diocesan *Recruitment Policy*, *Volunteer Engagement Policy* and *Working with Children Check Policy*. For further information and assistance, contact the Diocesan HR Manager.

#### Working with Children Checks

Under the *Child Protection (Working with Children) Act 2012* (NSW) (WWC Act), Working with Children Checks (WWCCs) are to be obtained by certain parish and agency workers before they can engage in child-related work. The WWCC is administered by the Office of Children's Guardian (Children's Guardian).

#### What is Child-Related Work?

Child-related work is work involving direct contact by the worker with a child or children and that contact is a usual part of and more than incidental to the work, or the worker is engaged in work in a child-related role as designated by the WWCC Act (which includes religious services). Direct contact refers to physical or face-to-face contact, and the work may be paid or unpaid.

As part of our obligations, the Diocese of Lismore is required to verify that each of those workers whose role involves child-related work has a valid Working with Children Check prior to commencing their role. Failure to do so will attract a substantial fine.

A Working with Children Check involves screening of particular criminal offences and review of findings of workplace misconduct. The result of a Working with Children Check is either a clearance to work with children for five years or a bar against working with children. Cleared applicants are subject to employer verification and ongoing monitoring. Relevant new records may lead to the clearance being revoked. The Check is fully portable which means it can be used for any paid or unpaid child-related work in NSW for as long as the worker remains cleared.

It is the responsibility of the worker to apply for (and renew every **five years**) their own Working with Children Check and to provide the clearance number (prior to commencing work) to their relevant supervisor (e.g. parish priest, supervisor) for collection and verification purposes as well as for the storage of this information. A person cannot be at work without a clearance.

Some parent volunteers do NOT need a Working with Children Check. The legislation in NSW allows parents and other close relatives (such as siblings, grandparents, aunts, uncles) to volunteer in same day activities that involve their own children without needing a Working with Children Check. The exemption applies so that parents can participate in activities and events that their children may normally participate in. Further information regarding **exemptions** can be found at:

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/parent>

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/employer/who-needs-a-working-with-children-check>

Where an exemption applies to a Worker, the Diocese requires that Worker to complete a *'Declaration of those undertaking Ministry or Church-related activity in the Diocese of Lismore'*. This declaration can be found in Appendix 6 or within the Diocesan *Working with Children Check Policy*. The *Working with Children Check Policy* also identifies those roles that require a WWCC. The list is not exhaustive and the nature of the Worker's role may change so as to warrant a WWCC, therefore please seek advice from the Safeguarding Office and Human Resources if you are unsure whether a Worker requires a WWCC.

Some people may play multiple roles within a parish. If any of those roles, whether paid or unpaid, involve child-related work, then those Workers will need to obtain a Working with Children Check which will need to be verified by the parish priest.

For recording and auditing purposes, it is important to ensure a current electronic **Working With Children Check Register** of those involved in child-related activity. The Working With Children Check Register should contain the following information:

- i. WWCC verification
- ii. Role/Ministry
- iii. Safeguarding Induction completed
- iv. Safeguarding training completed

A sample register can be found in *Appendix 7 – Working With Children Check Register*.

The safety and wellbeing of children and the vulnerable in our parish environments is paramount. It is of the utmost importance that workers in roles of responsibility and trust in our parishes are of sound character and are people we feel confident can be identified by our children and adults alike as trustworthy people within the Church.

A WWCC is only one safeguarding strategy that we use to protect children. However, it is a significant first step for any role that may come into contact with children, as well as sending out a powerful message that the Diocese of Lismore will take all necessary steps to ensure that those with predatory intentions are prevented from harming the vulnerable in our Church communities.

#### **Resources:**

- *Appendix 1 – Sample interview questions and red flags*
- *Appendix 2 – Sample reference check questions and red flags*
- *Appendix 3 – Screening of persons working with children flow chart*
- *Appendix 4 – Frequently Asked Questions: Working with Children Checks*
- *Appendix 5 – Working with Children Check Checklist for Parishes*
- *Appendix 6 – Declaration of those undertaking ministry or church-related activity in the Diocese of Lismore*
- *Appendix 7 – Working with Children Check register*

## **National Police History Check**

Workers may be required to complete a National Police History Check (NPHC) prior to and during their engagement with the Diocese in Lismore in order to:

- Minimise the risk of appointing a Worker to a role where the inherent requirements of the role mean that the role is not suited to a person with a particular background or history;
- Promote a safe Church environment;
- Protect the people, property and reputation of the Diocese;
- Mitigate risk to the Diocese.

Where a NPHC is required by the Diocese, the current or prospective worker must provide their own NPHC (dated within the last six months) or apply for a NPHC by completing and submitting a Catholic Commission for Employment Relation (CCER) Nationally Coordinated Criminal History Check Application and Informed Consent Form:

- a) Consenting to the NPHC being undertaken; and
- b) Produce the required identification documentation to allow the NPHC to be processed.

In certain positions, NPHC are required to be undertaken at least every three years from the date of appointment or the date of transfer to the worker's current role. For additional information, refer to the Diocese of Lismore *National Police History Check Policy*.

## Training and Support

We have a responsibility to ensure that the environments we work in are safe for ourselves and for those we work with. Safeguarding training is one way to uphold our commitment and dedication to safeguard all those within our community, and is one example of how the Diocese is fostering our commitment to the Royal Commission's Child Safe Standard 7 '*staff are equipped with the knowledge, skills and awareness to keep children safe through continual training and education*'.

The Safeguarding Office provides mandatory training for workers including clergy, religious, employees and volunteers. Safeguarding training ensures that all who work and volunteer within the Diocese of Lismore are aware of their safeguarding and child protection obligations in line with current legislative, regulatory and policy requirements. It is expected workers undertake safeguarding training relevant to their role and responsibilities to ensure compliance is maintained within the Diocese.

### Clergy and Seminarians

Clergy with faculties ministering within the Diocese of Lismore and Seminarians	
All clergy who have faculties and who minister within the Diocese of Lismore, and seminarians, are required to undertake the following annual mandatory training.	
Training Required:	<ul style="list-style-type: none"> <li>• Level 1 Safeguarding Training</li> <li>• Level 2 Safeguarding Training</li> <li>• Level 3 Safeguarding Training</li> <li>• Ongoing annual Safeguarding Training</li> </ul>
Delivered by:	Safeguarding Office

### Other Religious (Brothers, Religious women)

Other Religious ministering within the Diocese of Lismore	
Training Required:	<ul style="list-style-type: none"> <li>• Level 1 Safeguarding Training</li> <li>• Level 2 Safeguarding Training</li> <li>• Level 3 Safeguarding Training</li> <li>• Ongoing annual Safeguarding Training</li> </ul>
Delivered by:	Safeguarding Office

### Parish Employees and Volunteers

Parish Employees and Volunteers within the Diocese of Lismore	
Training Required:	<ul style="list-style-type: none"> <li>• Safeguarding Induction</li> <li>• Level 1 Safeguarding Training</li> <li>• Ongoing annual Safeguarding Training</li> </ul>
Delivered by:	Safeguarding Office

In addition to Safeguarding training, those clergy involved with schools are required to complete annual Self-Administered Legal Training (**SALT**). Modules include:

- Child Protection
- Discrimination, Harassment and Bullying

If relevant clergy require assistance with access details, or clarification on training requirements, please contact the Safeguarding Office via [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au)

## Visiting Clergy and Religious

In order to carry out a public ministry in the Diocese of Lismore, visiting clergy or religious to the diocese are required to be compliant with both Civil Law and Church requirements. Therefore, all clergy and religious from outside the diocese who wish to provide a ministry and/or religious services in the Diocese of Lismore are required to submit necessary documentation to the Chancery, and receive confirmation of clearance, prior to undertaking any ministry and/or religious service in the diocese.

On receipt of the required documentation and prior to the planned visit, the Chancery will review the information provided and once the relevant verifications are completed, the Chancery will issue a confirmation email to:

1. the visiting clergy and/or religious; and
2. parish priest where the visit will take place,

to advise of your clearance to perform ministry in a parish/with a religious movement/group at a certain date and time.

To view the *Visiting Clergy and Religious* protocol, and associated forms, please visit <https://www.lismorediocese.org/visiting-clergy-religious-protocol/>

For any questions you may have regarding Diocesan requirements, or for further information, please email the Chancery at [chancery@lismore.catholic.org.au](mailto:chancery@lismore.catholic.org.au) or phone 02 6622 0407.

## Visiting Clergy/Religious Register

Part of providing a safe environment for children and vulnerable adults includes knowing who is visiting your parish and registering this for future reference if necessary. Visiting clergy or religious are therefore required to sign the *Visiting Clergy/Religious Register* found in *Appendix 8* to declare their presence on a particular time and date. Additional information to be recorded in the register includes:

• Date of arrival	• Date of departure
• Name of priest/religious	• Diocese
• ACMR # or Toward Healing Clearance from Diocese	• WWCC number
• Purpose of visit	• Signature of visiting priest/religious

**Please note:** Parishes are to retain the *Visiting Clergy/Religious register*. This register is to be sent to the Safeguarding Office twice per year, at the end of every six month period (1 January / 1 July).

For support or further information regarding the Visiting Clergy/Religious register, please contact the Safeguarding Office via email at [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au) or phone 02 6621 9444.

## Record Keeping and Sharing

Childrens' and vulnerable adults' rights to safety and wellbeing should be prioritised over other concerns. The creation of accurate records and the practice of good record keeping have an important role in identifying, preventing and responding to child and vulnerable adult abuse.

Records are also important in alleviating the impact for survivors of abuse. Inadequate records and recordkeeping has led to delays in or failures to identify and respond to risks and incidents and contributed to the distress and trauma for survivors of abuse.

The Royal Commission into Institutional Responses to Child Sexual Abuse's final report, *Volume 8, Recordkeeping and Information Sharing*, recommends that all institutions implement the five following principles underpinning good recordkeeping:

- 1) creating and keeping full and accurate records relevant to child safety and wellbeing, including child sexual abuse, is in the best interests of children and should be an integral part of institutional leadership, governance and culture;
- 2) full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing, including child sexual abuse;
- 3) records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately;
- 4) records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of in accordance with law or policy;
- 5) individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.

The Diocese of Lismore requires detailed and up-to-date records relating to children and vulnerable adult issues to be kept at parishes and agencies to assist with any future child, or vulnerable adult, protection queries or investigations. The Diocese accepts that:

- good recordkeeping practices and accurate records can contribute to better outcomes in complaints handling, redress and criminal proceedings; and
- these principles are intended to promote safety, institutional accountability and just outcomes for victims and survivors child sexual abuse.

In addition to sexual abuse, the Diocese accepts these principles as being applicable to all forms of child or vulnerable adult abuse including physical abuse, neglect, emotional (psychological) abuse and grooming.

## Maintaining Appropriate Records

All workers have an obligation to maintain appropriate records and data in relation to their professional practice in the care and protection of children, young people and vulnerable adults.

A record services an essential administrative, legal and historical purpose. Records can include emails, electronic documents, digital image and audio recordings, meeting minutes, correspondence, statements, records of interviews, files, forms, plans, drawings, notes, photographs and films/videos.

The responsibility to create and maintain appropriate records of professional activities and decisions in the care and protection of children, young people and vulnerable, includes contemporaneous records of any disclosure, observations and discussions. Workers should be mindful of the need to retain such records securely in physical and/or digital environments where they will not be subject to alteration or corruption.

While records relating to allegations of child abuse, safeguarding complaints or the operations or procedures of the Diocese, parish or agency, must be retained under relevant legislation for a period of 45 years, it is policy of the Diocese to retain these records **indefinitely**.

The parish priest/supervisor/manager has a responsibility to ensure that workers who report to them comply with their records management obligations.

## Confidentiality and Privacy

The Diocese of Lismore and its agencies collect and store confidential and personal information about children, vulnerable adults, families and workers. Any misuse of confidential and personal information, whether intentional or reckless, is inconsistent with the policy, mission and ethos of the Diocese. Such misuse might not only be harmful, but may also be unlawful.

It is expected that workers will:

- treat confidential and personal information about children, vulnerable adults, families, or other workers respectfully;
- exercise caution and sound judgement in discussing other people's confidential and personal information;
- comply with relevant laws and regulations regarding the collection, dissemination, use and security of all such information;
- only use such information for work-related and/or authorised purposes;
- only communicate such information to those who need to know in order to perform their role.

Please also refer, and adhere to, the *Diocesan Privacy Policy*

### **Resources:**

- *Appendix 8 – Visiting Clergy/Religious Register*
- *Appendix 9 – Protocol: Storing and Sharing Safeguarding Records*
- *Appendix 10 – Factsheet: Storing and Sharing Safeguarding Records*



## 2.2 RECOGNISING HARM AND ABUSE

Children, young people and vulnerable adults have a right to be safe in their own homes and in the community, and live without violence and abuse. It is therefore the responsibility of every Worker of the Diocese of Lismore to have some understanding of the indicators of harm and abuse in children, young people or vulnerable adults.

### What is Child and Vulnerable Adult Abuse and Harm?

There are different legal and operational definitions of child and vulnerable adult abuse in Australia. Respective professional sectors tend to emphasise the facets of abuse that are most important to their own field.

However, all definitions refer to the physical or psychological damage caused to another person by the abusive behaviour of others, or the failure to protect victims. Commonly the categories of abuse include all forms of:

- sexual abuse (including grooming)
- neglect
- physical abuse
- emotional or psychological abuse.

These categories for the most part are reflected in the commonly Australian accepted definition of Elder Abuse as *'any act occurring within a relationship where there is an implication of trust, which results in harm to an older person. Abuse may be physical, sexual, financial, psychological, social and/or neglect'*<sup>1</sup>

Family violence and the exposure to it, is also considered a form of abuse for both children and vulnerable adults.

The following tables set out different types of abuse and a non-exhaustive list of indicators. When forming a belief that child or vulnerable adult abuse might be occurring, consider the context of the behaviour you have observed, or information you have come across. A single indicator might not imply abuse.

### Emotional (psychological) abuse

Serious psychological harm can occur where the behaviour of the parent or caregiver damages the confidence and self esteem of the child or vulnerable adult, resulting in serious emotional disturbance or psychological trauma.

Although it is possible for 'one off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child or vulnerable adult.

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<sup>1</sup> Australian Network for the Prevention of Elder Abuse Working definition (1999)

### Emotional (psychological) Abuse Signs

<i>Examples</i>	<ul style="list-style-type: none"> <li>• rejection</li> <li>• bullying</li> <li>• derogatory name-calling</li> <li>• insulting the person</li> <li>• threatening the person or threatening to take away something that is important to them</li> <li>• yelling or swearing at them</li> <li>• Isolating the person</li> <li>• Excluding them from meaningful events or activities</li> </ul>
<i>Possible physical indicators</i>	<ul style="list-style-type: none"> <li>• frequent psychosomatic complaints (eg. Headaches, nausea, abdominal pains)</li> <li>• prolonged vomiting or diarrhoea</li> <li>• delays in emotional, mental, or even physical development</li> <li>• physical signs of self-harming</li> </ul>
<i>Possible behavioural indicators</i>	<ul style="list-style-type: none"> <li>• feelings of worthlessness or low self-esteem</li> <li>• extreme attention-seeking or risk-taking behaviour</li> <li>• self-harming, suicide attempts</li> <li>• obsession with pleasing or obeying adults</li> <li>• exposure to domestic violence</li> <li>• displaying aggressive or demanding behaviour</li> <li>• antisocial and destructive</li> <li>• lying or stealing</li> <li>• being withdrawn, passive and/or tearful, constant running away from home</li> <li>• anorexia or over-eating</li> </ul>
<i>Signs in parents or caregivers</i>	<ul style="list-style-type: none"> <li>• Constant name calling, labelling or publicly humiliates the child or vulnerable adult</li> <li>• Continually threatens with physical harm or forces them to witness physical harm inflicted on a loved one</li> <li>• Has unrealistic expectations of the child or vulnerable adult</li> </ul>

### Physical abuse

Physical abuse is a non-accidental injury or pattern of injuries to a child, young person or vulnerable adult, caused by a parent, caregiver or any other person.

#### Physical Abuse Signs

<i>Examples</i>	<ul style="list-style-type: none"> <li>• Excessive discipline</li> <li>• Beating</li> <li>• Shaking</li> <li>• Burning</li> <li>• Attempted strangulation</li> <li>• Hitting a person around the head or neck</li> <li>• Using weapons (such as belts or sticks)</li> </ul>
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<i>Possible physical indicators</i>	<ul style="list-style-type: none"> <li>• unexplained cuts, abrasions, bruising or swelling</li> <li>• unexplained burns or scalds (including cigarette burns)</li> <li>• rope burns or marks on arms, legs, neck, torso</li> <li>• unexplained fractures, strains or sprains; dislocation of limbs</li> <li>• bite marks</li> <li>• drowsiness, vomiting, fits or pooling of blood in the eyes, which may suggest a head injury</li> <li>• abdominal pain, which may be caused by ruptured internal organs</li> <li>• Frequent hospital visits</li> </ul>
<i>Possible behavioural indicators</i>	<ul style="list-style-type: none"> <li>• wary of adults or of a particular individual</li> <li>• violent to animals or other children/individual</li> <li>• dressed inappropriately to hide bruises or other injuries</li> <li>• may be extremely aggressive or extremely withdrawn</li> <li>• cannot recall how the injuries occurred or gives inconsistent explanations</li> <li>• exposure to domestic violence</li> <li>• parents or caregivers use excessive or unreasonable discipline</li> </ul>
<i>Signs in parents or caregivers</i>	<ul style="list-style-type: none"> <li>• explanation offered by the parent or caregiver is not consistent with the injury</li> <li>• may blame the accident on a sibling, friend, relative or the injured child or vulnerable adult</li> <li>• family history of violence</li> <li>• is aggressive towards a child or vulnerable adult in front of others</li> <li>• may delay in seeking medical attention for a child or vulnerable adult</li> </ul>

## Neglect

Neglect is a significant failure – by a person with parental responsibility, or an authorised carer or an employee if the child or vulnerable is in the employee’s care – to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for the child that causes or is likely to cause harm to the child.

Neglect can be an ongoing situation of repeated failure by a caregiver to meet physical or psychological needs, or a single significant accident where a caregiver fails to fulfil a duty or obligation, resulting in actual harm to child, or vulnerable, or where there is the potential for significant harm.

### *Signs of Neglect*

<i>Possible physical indicators</i>	<ul style="list-style-type: none"> <li>• malnourished, lacking food, inappropriate food or erratic feeding</li> <li>• inattention to basic hygiene</li> <li>• inappropriate clothing</li> <li>• chronic sickness/untreated physical problems</li> <li>• poor dental hygiene</li> </ul>
<i>Possible behavioural indicators</i>	<ul style="list-style-type: none"> <li>• constant tiredness</li> <li>• persistent hunger</li> </ul>

	<ul style="list-style-type: none"> <li>• unexpectedly poor social/interpersonal skills</li> <li>• signs of loss of communication and other skills</li> <li>• staff member, service provider, carer or support person consistently fails to bring the person to appointments, events, activities</li> <li>• person is persistently denied opportunities to socialise with others in the community</li> <li>• aggressive behaviour</li> <li>• non-attendance at school</li> </ul>
<i>Signs in parents or caregivers</i>	<ul style="list-style-type: none"> <li>• fails to provide basic needs, such as housing, nutrition, medical and psychological care</li> <li>• Fails to enrol a child in school or permits truancy</li> <li>• Leaves the child or vulnerable adult without appropriate supervision</li> <li>• Is overwhelmed with own problems and puts own needs ahead of the needs of child or vulnerable adult</li> <li>• Withholding physical contact or stimulation for prolonged periods</li> <li>• Unrealistic expectations of the child or vulnerable adult</li> </ul>

## Sexual abuse

Sexual abuse involves forcing or enticing a person to take part in sexual activity, or deliberately puts the person in the presence of sexual behaviours that are exploitative or inappropriate to his/her age development, whether or not that person is aware of what is happening.

Sexual abuse includes sexual behaviour involving a vulnerable person and another person in the following circumstances:

- The other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
- The relevant person has less power than the other person;
- There is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

The activities may involve physical contact including penetrative (e.g. rape) or non-penetrative acts (oral sex).

It may include non-contact activities such as involving a child or a vulnerable person looking at or participating in the production of pornographic material, watching sexual activities or encouraging such persons to behave in sexually inappropriate ways.

Such behaviour is not confined to a particular working group, class or individual. The vulnerable can be sexually abused by a male and/or female or by any other adult and/or child.

### *Signs of Sexual Abuse*

<i>Examples</i>	<ul style="list-style-type: none"> <li>• kissing, masturbation, penetration, exhibitionism</li> <li>• inappropriate touching or fondling</li> <li>• exposure to, or exploitation through, pornography or prostitution</li> <li>• sexual harassment</li> <li>• sexual grooming</li> </ul>
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<i>Possible physical indicators</i>	<ul style="list-style-type: none"> <li>• direct or indirect disclosure of abuse or assault</li> <li>• trauma to the breasts, buttocks, lower abdomen or thighs</li> <li>• pain or itching in genital and/or anal area; bruising, bleeding or discharge</li> <li>• sexually transmitted diseases, pregnancy</li> <li>• unexplained money or gifts</li> </ul>
<i>Possible behavioural indicators</i>	<ul style="list-style-type: none"> <li>• sleep disturbances</li> <li>• changes in eating patterns</li> <li>• inappropriate or unusual sexual behaviour or knowledge</li> <li>• changes in social patterns</li> <li>• fear of certain places eg. Bedroom or bathroom</li> <li>• sudden or marked changes in behaviour or temperament</li> <li>• being withdrawn, running away, depression</li> <li>• self-destructive behaviour</li> <li>• refusal to attend usual places (e.g. work, school, respite)</li> <li>• showing wariness or distrust of adults, or fear of specific people</li> <li>• uses younger children in sexual acts</li> </ul>

## Understanding grooming behaviour

Grooming is deliberate actions by which an offender befriends and establishes an emotional connection with a child, young person or vulnerable adult to lower their inhibitions in order to sexually abuse them. The relationship is usually maintained in secrecy.

The types of behaviours that may lead to such a conclusion include (but are not limited to) the following:

- Persuading a child, young person or vulnerable adult that they have a 'special' relationship, for example by:
  - spending inappropriate special time with them;
  - inappropriately giving gifts;
  - inappropriately showing special favours to them but not others;
  - inappropriately allowing them to overstep rules; and
  - asking to keep this relationship to themselves.
- Testing boundaries, for example by:
  - undressing in front of a child, young person or vulnerable adult;
  - encouraging inappropriate physical contact (even where it is not overtly sexual);
  - talking about sex; and
  - 'accidental' intimate touching.
- Inappropriately extending a relationship outside of work (except where it may be appropriate - for example where there was a pre-existing friendship with the child, young person or vulnerable adults' family or as part of normal social interactions in the community).
- Inappropriate personal communication (including emails, telephone calls, text messaging, social media and web forums) that explores sexual feelings or intimate personal feelings with a child, young person or vulnerable adult.

- An adult requesting that a child, young person or vulnerable adult keep any aspect of their relationship secret or using tactics to keep any aspect of the relationship secret, would generally increase the likelihood that grooming is occurring.

Grooming includes a range of behaviours and/or verbal or written communications with a child, young person or vulnerable adult. The intention of this communication is to make sexual contact, whilst maintaining the child, young person or vulnerable adults' silence. Grooming can take place over days, weeks or even years. It can be difficult to recognise because it is also often disguised as normal or legitimate behaviour. When challenged, offenders are likely to justify their behaviour to avoid suspicion.

Grooming may cause the victim to:

- feel as though they have an important and special relationship with the person who is harming them;
- experience confusion over the nature of their relationship;
- internalise the abuse as their fault, feeling responsibility for any harm experienced and fearing they will be blamed, punished or not believed;
- fear that they will be separated from their family or home if they speak out; and/or
- believe that disclosure will cause harm to someone or something they love and care for, such as family members or pets.

Individual incidents of the above behaviours may not be indicative of grooming if occurring in isolation, but if there is a pattern of behaviour occurring, this may be indicative of grooming.

***Under the Crimes act 1900 (NSW), section 66EB, it's a serious criminal offence to groom or procure a child for unlawful sexual activity.***

## 2.3 RESPONDING TO AND REPORTING HARM AND ABUSE

Every day we come into contact with people, (adults, children and young people) who are vulnerable in one way or another. As a church we are privileged to be in a position where these people trust us. We therefore need to be clear that when we become aware someone has been abused we have an obligation to report.

The Diocese of Lismore expect that all concerns, allegations, suspicions and disclosures of harm and abuse are taken seriously. It is critical that workers know what is expected of them in these circumstances. The following section outlines reporting responsibilities in line with recent legislative changes including:

- **Mandatory Reporting** – Where a child or young person is at risk of significant harm;
- **Reportable Conduct Scheme**– reporting inappropriate conduct of workers to the NSW Office of the Children’s Guardian; and
- **Reporting to NSW Police**

All reporting of allegations and concerns is highly sensitive and should be dealt with in a sensitive and confidential manner with respect for the privacy of the individual/s involved. There may be situations where reports need to be made to various authorities and therefore advised to seek the advice of the Safeguarding Office where necessary.

Whether the concern involves an active member of the faithful or not, it is still the responsibility of everyone in the Diocese (and its agencies) to make a report to ensure that children and the vulnerable who may need support and protection are not left at risk of abuse.

*Remember*, making a report enables the community to best provide support to the child and vulnerable adult (and their family), to review policies and procedures (where necessary) and take any steps needed to make the parish safe.

### Why do I need to make a report?

Children and vulnerable adults may be in need of protection from abuse or maltreatment in their own home or in other environments including the Church itself. Reporting is essential to uncover any hidden abuse, to prevent further abuse (injury or death) in the future, and to help professionals provide better care for the person.

You also have a legislative requirement to report child abuse offences and serious indictable offences. These are referred to as Reportable Crimes. Reportable Crimes must be reported to the NSW Police and a failure to report can result in imprisonment.

### Mandatory Reporting

Under the *Children and Young Persons (Care and Protection) Act 1998* (Care Act), certain persons are required by law to report matters or concerns if they have reasonable grounds to suspect that a child is at **risk of significant harm (ROSH)** and those grounds arise in the course of, or from their work or role.

Legislative grounds for intervention in NSW cover young people up to 18 years of age, but it is not mandatory to report suspicions of risk or harm in relation to young people aged 16 and 17 years. **It is mandatory to report suspicions of risk of harm in relation to children under the age of 16 years.** While it is not mandatory to make a report in relation to young people aged 16 and 17 years, professional judgement should be used in deciding whether concerns about the safety, welfare, or wellbeing of the young person warrant a report.

Historical allegations, once victims are adults, would not involve mandatory reporting unless there is a current risk to other children identified. A report to the Children's Guardian may be necessary if the allegation relates to someone currently engaged in child-related work/public ministry in the organisation.

### Who are mandatory reporters in NSW?

In NSW mandatory reporting obligations apply to persons who deliver the following services wholly or partly to children as part of their professional work or other paid employment, and those in management positions in organisations that deliver those services;

- health care – doctors, nurses, dentists and other health workers
- welfare – psychologists, social workers, caseworkers and youth workers
- education – teachers, counsellors and children
- disability services – disability support workers and personal care workers
- children's services – child care workers, family day carers and home-based carers
- residential services – refuge workers
- law enforcement – police
- **persons in religious ministry or persons providing religion-based activities to children**
- registered psychologists providing a professional service as a psychologist (whether or not exclusively to children).

This change to legislation means that clergy, deacons, religious brothers and religious sisters are legally required to make a report to the *Department of Communities and Justice (DCJ)* when they have reasonable grounds to suspect that a child is at risk of significant harm. It also means that employees, volunteers, contractors and sub-contractors in Parishes and Ministries of the Diocese who provide religion-based activities to children are also legally required to make a report when they have reasonable grounds to suspect that a child is at risk of significant harm.

A mandatory reporter has a duty to report concerns to the Department of Communities and Justice, as soon as practicable, the name or a description of the child and the grounds for suspecting that the child is at risk of significant harm. Other details such as the following are also helpful:

- a) Child's address, phone number, school details, age, care arrangements or cultural identity or language barriers;
- b) Child's parents' name, address, phone number, cultural identity or language barrier;
- c) Reporter's name, address, phone number, email address, position, reason for reporting, nature of contact with the Child, nature of any ongoing role with the Child or their family;



- d) Information about the reasons for suspecting that the Child is at Risk of Significant Harm, such as whether the Child appears to have suffered neglect, physical or sexual abuse, or is exhibiting at-risk behaviour.

The risk of significant harm need not arise at a parish or agency in order to be reported. It is more likely that it will relate to the relevant child or vulnerable adult's home life, which parish or agency personnel may come to understand as a result of their conversations with and observations of the child or vulnerable adult.

It's important to remember that **no member of the Clergy, Religious Appointee, Employee or Volunteer should attempt to undertake their own investigation before reporting the matter.**

Before making a report to the Department of Communities and Justice (DCJ), please discuss the concern with your parish priest or supervisor. You may also contact the Safeguarding Office who can assist you to understand and carry out your reporting responsibilities.

Everyone in the community including parents, relatives, friends, neighbours and others should be alert to signs of abuse or neglect in children, young people and vulnerable adults. Their safety, welfare and well-being are a community responsibility. An injury, concerning behaviour or a disclosure, may be a trigger to consider whether a report should be made or whether the Diocese can offer support to prevent significant harm from occurring or continuing. Non mandatory reporters including the general public should phone the Helpline on **132 111**

### What is risk of significant harm (ROSH)

Harm is any detrimental effect of a significant nature on the person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by physical, psychological, or emotional abuse or neglect; or sexual abuse or exploitation. It may be caused by a single act, omission or circumstance; or a series or combination of acts, omission or circumstances.

A child or young person is at **risk of significant harm (ROSH)** if there are current concerns for their safety, welfare or wellbeing because of the presence, to a significant extent, of any one or more of the following:

- the basic physical or psychological needs of the child or young person are not being met, or at risk of not being met (neglect) - for example, they don't have enough food or clothing, or don't have a safe or secure place to live;
- the parents or caregivers have not arranged necessary medical care for the child or young person (unwilling or unable to do so) - for example, a child is very sick, but is not taken to a doctor;
- in the case of a child or young person who is required to attend school in accordance with the [Education Act 1990](#) - the parents or caregivers have not arranged for the child or young person to receive an education in accordance with that Act (unwilling or unable to do so);
- the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated - for example, where a child has bruises, fractures or other injuries from excessive discipline or other non-accidental actions; sexual activity between the child and an older child or adult;

- parent or caregiver’s behaviour towards the child causes or risks serious psychological harm (emotional abuse) - for example, a child having to take care of his parent, or a child being continually ignored, threatened or humiliated;
- the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm (domestic or family violence) – for example, where a child could be injured by a punch intended for their mother, or a child can't sleep at night because of the fear there will be violence in the home;
- the child was the subject of a prenatal report and the birth mother did not engage successfully with support services.

What is meant by “significant” in the phrase “to a significant extent” is that which is sufficiently serious to warrant a response by a statutory authority, irrespective of a family’s consent.

What is significant is not minor or trivial, and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child’s or young person’s safety, welfare, or wellbeing.

## Reporting a disclosure or suspicion of harm or abuse

### Mandatory Reporter Guide (MRG)

A Mandatory Reporter Guide (Decision Tree) has been developed to help both mandatory and non-mandatory reporters decide whether a concern meets the statutory threshold for reporting risk of significant harm.

Mandatory reporters are encouraged to use the online [Mandatory Reporter Guide \(MRG\)](#) to help decide whether a child is suspected to be at risk of significant harm.

The MRG is a Structured Decision Making tool intended to complement mandatory reporters professional judgement and critical thinking, and supports mandatory reporters in NSW to:

- determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child or young person; and
- identify alternative supports for vulnerable children, young people and their families.

The MRG works by posing specific questions that help reporters work systematically through the issues relating to the concerns they have about a child or young person.

When using the MRG, you select the main decision tree that most closely matches the concern(s) you have. If you have more than one concern, start with your most serious. After selecting the applicable decision tree, you will be asked a series of questions. It is important to read the accompanying definitions to complete a ‘yes’ or ‘no’ answer until a final decision is reached.

At the end, once an assessment has been made to determine whether the child or young person is actually at risk of significant harm, a decision report will be issued with an explanation of the outcome based on your completed decision tree.

If your concern does not fit any of the decision trees, it is probably not reportable, but it is recommended you consult with the Safeguarding Office for further clarification.

## How to report?

When reporting a disclosure or suspicion of harm, you **must** consider:

- Whether the disclosure or suspicion needs to be urgently reported to NSW Police. **If so**, you will need to:
  - a) **Contact NSW police service immediately on 000 if there is immediate danger or a life threatening situation;**
  - b) Advise your parish priest or supervisor/manager
  - c) If you have concerns regarding what action needs to be taken, please contact the Safeguarding office.
- If there is **no** immediate risk of harm to the child or young person, and it is deemed the child is at risk of significant harm via the Mandatory Reporter Guide, there are two ways mandatory reporters can make a child protection report:
  - 1) By eReport through the [ChildStory Reporter website](#).
  - 2) By calling the Child Protection Helpline on **132 111**.

Mandatory reporters are required to report to the Child Protection Helpline as outlined in the Diocese *Flowchart: Reporting a Child who is at Risk of Significant harm to DCJ (Appendix 12)*. In all cases you should complete a *Concern-Complaint Form (Appendix 13)* recording all details that support disclosure or suspicion of harm.

Further information regarding mandatory reporting can be found at:

<https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters>

*In situations where there is uncertainty, questions or concern regarding the reporting of an allegation of harm, clarity should be sought from the Safeguarding Office on 02 6621 9444 or [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au)*

### NSW Department of Communities and Justice:

- Website: <https://www.dcj.nsw.gov.au>
- Mandatory Reporters Guide: <https://reporter.childstory.nsw.gov.au/s/>
- Helpline: 132 111

### Resources:

- *Appendix 11 - Factsheet: Mandatory Reporting*
- *Appendix 12 - Flowchart: Reporting a child who is at risk of significant harm to DCJ*
- *Appendix 13 - Concern-Complaint Form*

## What is a disclosure of harm or abuse?

A **disclosure** of harm or abuse occurs when someone, including a child or vulnerable adult, tells you about harm that has happened, is happening, or is likely to happen to a child or vulnerable adult. Disclosures of harm may start with:

- (a) *'I think I saw...'*
- (b) *'Somebody told me that...'*
- (c) *'Just think you should know...'*
- (d) *'I'm not sure what I want you to do, but...'*

It's important to act quickly and in the best interests of the child, young person, or vulnerable adult after a disclosure of harm is received, irrespective of the alleged source of harm.

## What is a suspicion of harm or abuse?

A **suspicion** of harm or abuse is when someone has a reasonable suspicion that a child or vulnerable adult has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm. A child or vulnerable adult who has been, or may be experiencing, abuse may show behavioural, emotional or physical signs of stress and abuse.

There may also be other circumstances where there is concern for a child or vulnerable adult's welfare but it does not reach the threshold to be considered a disclosure or suspicion of harm. You have a duty of care to follow up any suspicions of harm or potential risk of harm to children, young people or vulnerable adults in your care. You can do this by observing and recording the actions of children or vulnerable adults who might be at risk, and reporting concerns to the relevant authority.

You can suspect harm if:

- a child or young person tells you they have been harmed;
- someone else, for example another child, a parent/carer, or an employee, tells you that harm has occurred or is likely to occur;
- a child or young person tells you they know someone who has been harmed (it is possible that they may be referring to themselves);
- you are concerned at significant changes in the behaviour of a child or young person, or the presence of new unexplained and suspicious injuries; or
- you see the harm happening.

## How to respond to a disclosure or suspicion of harm or abuse

Where there is a disclosure or a suspicion that a child or vulnerable person is being harmed physically, sexually or emotionally, care must be taken to remain calm and show support to the person throughout the disclosure phase. The following key steps guides your behaviour in responding to the disclosure:

- remain calm and patient;
- listen attentively, supportively and non-judgmentally;
- ensure a private conversation occurs, respecting confidentiality, whilst remaining in an open space;
- respect that the person may not disclose full details;
- acknowledge the person's courage and strength.

### Reassure

- reassure the person they have done the right thing by telling you;
- respond empathically, objectively and use supportive language;
- if the person is a child, or young person, ensure you advise and reassure them that the disclosure cannot remain a secret and it is necessary to advise someone in order to get help;
- reassure the person that you will act.

## Record

- encourage the person to talk in their own words and ensure just enough open-ended questions are asked to act protectively (eg. 'Can you tell me what happened?'.or 'Can you tell me more about that?'). **Don't** ask leading questions which tend to suggest an answer;
- record exactly what the person has said, not your interpretation;
- do not attempt to investigate or mediate an outcome.

## Report

- **if the child or vulnerable adult is in a life-threatening situation, you should immediately notify NSW police on 000;**
- explain that you will need to refer their disclosure to someone who can help;
- ensure to keep a copy of your notes in case they are required by Court;
- in all cases you should advise the Diocesan Safeguarding office and complete a *Concern-Complaint Form (Appendix 13)* recording all details that support the suspicion. The Safeguarding office is can assist you with completing this document if required.

## Managing a disclosure: Points to remember

For those who are not trained in Counselling, Psychology or Social Work, dealing with disclosures can be confronting. It is at times difficult to be sure that your support, responses or actions are aligned with best practice and you may fear that your response is in some way incorrect or potentially worsening the situation.

The recommendations below advises on how you can best support the person who has disclosed. It is also encouraged that you approach this person with positive support only, listen and show empathy to what they are sharing. Remember your role is to support and listen to the child or vulnerable adult, **not** to conduct an investigation.

It's important to **avoid**:

- **reacting with disbelief, anger or disgust about the alleged abuser;**
- **reacting with blame, criticism, or judgement** – don't ask "why" and "what" questions, as these are only likely to perpetuate victim blaming and contribute to the survivor's negative thoughts, feelings, and emotions. Questions such as, "Why did you go alone to the room?", "what were you wearing?","Why didn't you fight back?" are not helpful. Often this can make them relive the trauma they experienced and will be detrimental in their process of disclosing or seeking help/support;
- **asking too many questions** – leave the investigating and fact finding to trained professionals;
- **minimising what happened** – never tell reporters/survivors to just get over it, or that what happened is in the past, or minimise these past events in any way. These types of questions and statements will come across as attempts to reduce what has happened to the survivor;
- **confronting the alleged abuser** – it could make things worse or unsafe for the child;
- **making promises you cannot keep**, such as promising that you will not tell anyone;
- **seeking further details** beyond those that the child or vulnerable adult freely want to discuss.

When there is a disclosure of an allegation of abuse and/or harm, only ask questions to confirm your understanding of the victim's situation and/or what might need to be reported to an appropriate authority.

When a Diocesan worker witnesses or receives an allegation of harm and/or suspected harm, they must report it as outlined in the section above '*how to report*'. In situations where there is uncertainty, questions or concern regarding the reporting of an allegation of harm, clarity should be sought from the Safeguarding office.

Debriefing and pastoral care after a disclosure or suspicion of harm is received and reported is very important for your own self-care and well-being. Diocesan workers who have been involved with a disclosure and/or suspicion of harm can be debriefed and supported through the ***Employee Assistance Program*** on **1800 81 87 28** or visit **[accesseap.com.au](http://accesseap.com.au)**

*Support services* for survivors of abuse and others impacted by harm can be found in the final section of this Handbook.

## Reportable Conduct Scheme – Reporting inappropriate Employee Conduct to the NSW Office of the Children's Guardian

From 1 March 2020, the *Children's Guardian Act 2019* (NSW) (The Act) came into effect providing a new legislative framework for the **Reportable Conduct Scheme**. Those workers who are required to hold a Working With Children's Check for the purposes of their role within the Diocese of Lismore will fall under the Reportable Conduct Scheme (the Scheme). The Scheme covers all workers behaviour towards children both inside and outside of work; including clergy, paid employees and volunteers providing services to children, as well as contractors delivering services to children, who are required to hold a Working with Children Check (WWCC) for the Diocese.

The Scheme is an allegation-based scheme that oversees how organisations investigate and report on certain conduct, known as reportable allegations and reportable convictions, made against their clergy, employees, volunteers or contractors who provide services to children. The Scheme helps to better protect children by ensuring those engaged in child related activities do not pose a risk to children, and provide greater protections for employees who are the subject of reportable conduct allegations.

### What is a 'reportable allegation' and 'reportable conviction'?

A reportable allegation means an allegation that a worker has engaged in conduct that may be reportable conduct, whether or not the conduct is alleged to have occurred in the course of their employment with the Diocese.

Allegations of historical sexual abuse involve reportable conduct if the alleged offender is still alive and engaged in child-related work/public ministry.

A reportable conviction means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.

Given the Reportable Conduct Scheme is an allegation-based scheme, notification will be made to the Office of the Children's Guardian where there is an allegation that a Diocesan worker has

behaved in a way that constitutes reportable conduct or they are the subject of a conviction that is considered a reportable conviction.

## What is reportable conduct?

In line with the *Children's Guardian Act 2019*, reportable conduct covers a range of behaviours which include:

- a) **A sexual offence** - An offence of a sexual nature under a law of NSW, another state/territory, or the Commonwealth committed against, with or in the presence of a child, such as; sexual touching of a child; a child grooming offence; production, dissemination or possession of child abuse material.
- b) **Sexual misconduct** - Conduct with, towards or in the presence of a child that is sexual in nature, but is not a sexual offence. Includes: descriptions of sexual acts without a legitimate reason to provide the descriptions; sexual comments, conversations or communications; and comments to a child that express a desire to act in a sexual manner towards the child or another child.
- c) **Ill-treatment of a child** - Occurs when a person treats a child in an unreasonable and seriously inappropriate, improper, inhumane or cruel manner. This may include: unreasonable and inappropriate punishment of a child; a pattern of seriously inappropriate, degrading or hostile comments or behaviour towards a child; and making excessive and/or degrading demands of a child.
- d) **Neglect of a child** - Although this would rarely arise in a parish or agency context, a failure to keep a child safe from harm by providing adequate supervision or exposure to harmful situations, e.g. outdoors, may in some circumstances be neglect if the child does suffer a foreseeable injury.
- e) **Assault against a child** - Intentionally or recklessly applying physical force without any lawful justification or excuse; or any act which intentionally or recklessly causes another person to apprehend immediate and unlawful violence. Examples include: hitting, striking, kicking, punching or dragging a child; and threatening to physically harm a child.  
  
The following do **not** constitute assault: exercising appropriate control over a child; disarming a child seeking to harm themselves or others or destroy property; separating children who are fighting; moving a child out of harm's way or touching them to attract their attention; and self-defence or the defence of others.
- f) **An offence under section 43B or 316A of the *Crimes Act 1900* (Failure to protect and Failure to Report)**
- g) **Behaviour that causes significant emotional or psychological harm to a child** - Refers to conduct that is obviously or very clearly unreasonable and results in significant emotional harm or trauma to a child. In order to be reportable, there must be evidence of the psychological harm and the harm needs to be shown to have been caused by the conduct of the worker.

It is important to contact the parish priest/manager or Safeguarding Office immediately on becoming aware of reportable conduct allegations or convictions, as notification to the Office of Children's Guardian needs to be made by the Diocesan Safeguarding Manager within **7** business days of being made aware of the allegation. The Safeguarding Office will assess the information and, where required, report to the NSW Office of the Children's Guardian and conduct an investigation.

If an allegation of reportable conduct is made about your behaviour, as a worker, the Safeguarding Office will report the alleged reportable conduct to the Office of Children's Guardian and initiate an investigation. A risk assessment will be undertaken by the Safeguarding Office regarding your engagement with the Diocese for the duration of the investigation.

The Scheme applies even if the alleged conduct occurred at a time when the person was not an employee, as long as they are employed when the allegation becomes known to the Head of Relevant Entity (Safeguarding Manager). This is because the Scheme is designed to address any current risks a person may pose to children being cared for within the Diocese.

Sometimes an allegation may appear to fall within a 'grey area' that requires further clarification or which appears to have taken place within the reasonable boundaries of a person's professional duties. Please seek advice from the Safeguarding Office to help determine whether an employee's alleged behaviour constitutes a 'reportable allegation' for the purposes of this scheme.

## How to report

You have an obligation to report alleged reportable conduct of colleagues towards children both during and outside 'work' hours. If you are concerned about the potentially reportable conduct of a worker towards a child under 18 years, you must:

- Immediately inform your manager/parish priest of this concern, in line with the Diocese *Reportable Conduct Flowchart* (Appendix 15). If your manager is unavailable, please report the alleged conduct to the Safeguarding Office.
- For managers/parish priests receiving the allegation, you must report the concern to the Head of Relevant Entity (Diocesan Safeguarding Manager) within 24 hours of being informed.

Once a report is made to the Safeguarding Office, the Safeguarding Manager will assess the information and, where required, report to the NSW Office of the Children's Guardian.

- Use the *Concern-Complaint form* (Appendix 13) to report such concerns and maintain for record keeping purposes.

Workers can be reluctant to raise their concerns because they fear that there may be adverse actions taken against them by those involved in the circumstances of their disclosure. The Diocese of Lismore completely supports workers that report child protection concerns, and is committed to listening to concerns and ensuring that they are treated in a respectful and dignified manner.

It's important that you have reasonable grounds to suspect that the information you are disclosing indicates that misconduct or illegal conduct has occurred. You must also make the disclosure in 'good faith'. This means your disclosure must be honest and genuine.

The Diocese of Lismore will report any worker to the relevant authority who takes, or threatens to take, detrimental action against a person who has reported in good faith. Disciplinary action may also be taken with respect to the Diocesan *Complaints Handling Policy* and *Code of Conduct*.



There may be situations where reports need to be made to the police, to Department of Communities & Justice, and to the Office of the Children's Guardian. Given these various possibilities, it is advised to always seek the advice of the Safeguarding Office.

## How to avoid allegations

To avoid behaviour that constitutes Reportable Conduct you are required to maintain professional boundaries and follow the Code of Conduct within the Diocese to safeguarding yourself and children.

The following tips may also help in preventing an allegation:

- ensure you are familiar with the Diocese of Lismore Code of Conduct and the expected ways you interact with children in your role;
- keep your interactions with children professional, even in less formal environments including extracurricular activities such as a play or musical productions;
- ensure you receive adequate induction into your role, and if not raise this with your supervisor – even if you are engaged for a short period of time and/or you are a volunteer;
- if you don't have the required experience or training to perform your role safely, discuss this with your supervisor so steps can be taken to ensure you are ready for the role;
- where possible, avoid interacting with children one-on-one in an area not visible to others;
- if you adopt a mentor role with a child, be sure it is a recognised and approved role, and you have a clear understanding of appropriate boundaries in that role;
- don't engage with children outside of family or legitimate social circles via social media;
- if you have a reason to engage with children via other electronic media (such as email) as part of your role, follow your Diocese of Lismore's policies on appropriate communication;
- if you are having personal, health or other issues that may affect your performance at work, access any support available to you.

### Resources:

- *Appendix 14 – Fact-Sheet: Reportable Conduct Scheme*
- *Appendix 15 – Flowchart: Reportable Conduct*
- *Appendix 13 – Concern-Complaint Form*
- *Appendix 16 – Whistleblower protection guidelines*

## Reporting Crimes to the NSW Police

Under the *Crimes Act 1900 (NSW)*, all adults in NSW are required to report information to police if they know, believe or reasonably ought to know that a child (Under 18 years) has been abused. It is an offence not to do so, and failing to report a Child Abuse Offence to NSW Police without a reasonable excuse may be considered a Concealing Child Abuse Offence, which is punishable by up to two years imprisonment. In the state of NSW this does not currently extend to clergy in the sacrament of Confession. It does apply to clergy for all other situations outside this Sacrament.

An adult working in the Diocese will also commit an offence if they know another adult working there poses a serious risk of abusing children, and they have the power to reduce or remove the risk and they negligently fail to do so.

In addition, Diocesan workers have a legislative requirement to report Serious Indictable Offences to NSW Police and failure to report can result in imprisonment. There are a vast number of Serious Indictable Offences and Child Abuse Offences (referred to as Reportable Crimes) that are listed in the *Appendix 19 – Table of reportable crimes*. Broadly speaking, Reportable Crimes that present at the parishes and agencies may include:

1. Physical Assault of a child or adult;
2. Sexual Assault of a child or adult;
3. Indecent Assault of a child or adult;
4. Committing a Sexual Act or Sexual Touching against a child;
5. Grooming behaviour;
6. The possession, dissemination or production of 'child abuse material', which includes child pornography and any material depicting a child as a victim of torture or cruelty;
7. The recording or distributing of 'intimate images' without consent; and
8. Stealing.

The parish priest/manager and/or Safeguarding Office will be able to provide support with making a report to NSW Police. Workers may choose to contact the Police directly by contacting their local police station or calling the Police Assistance Line on 131 444, or 000 in an emergency. If making a report directly to the Police, workers must also report all suspected offences to the parish priest/manager and/or Safeguarding Office.

**No worker should attempt to undertake their own investigation before reporting the matter.**

#### **Concealing Child abuse (Failure to Report) Offence:**

If an adult fails to report a Child Abuse Offence to the NSW Police this may constitute a Concealing Child Abuse Offence under s316A of the Crimes Act if they:

- believe, know or reasonably ought to know that a Child abuse Offence has been committed against another person; and
- believe, know or reasonably ought to know that they have information that might be of material assistance to the NSW Police in securing the apprehension, prosecution or conviction of the person who has committed that offence; and
- do not have a 'reasonable excuse' not to report the information.

#### **Reasonable excuses for not reporting to Police may include:**

- if you believe (on reasonable grounds) that the information is already known to Police;
- if you have made a Report/to another government body such as Department of Communities and Justice or the Office of the Children's Guardian;
- if the alleged victim is no longer a child and you have reasonable grounds to believe that the person does not want the information reported to Police;
- if you have reasonable grounds to fear for the safety of the alleged victim or any other person (other than the offender) if the information is reported to Police.

#### **NSW Police:**

- life threatening/Emergency situations: **000**
- police Assistance Line: 131 444

## Resources:

- *Appendix 17 - Fact Sheet: Reporting Crimes to the NSW Police*
- *Appendix 18 – Fact Sheet: What is a Reportable Crime*
- *Appendix 19 – Table of reportable crimes*

## Concern-Complaint Form

If a Diocesan worker has, or is notified of, a Safeguarding concern they should complete a *Concern-Complaint Form* as soon as possible. A Safeguarding concern includes a suspicion, allegation or disclosure of abuse, or a complaint of inappropriate conduct. This form should contain relevant details of the concern, including:

- accurate information as far as it is known. This should include the name and address of the person who has raised a concern (as well as parents'/carers' names and addresses when the person who has raised a concern/allegation is a child);
- the name of the individual against whom the concern/allegation is being raised and any other identifying information;
- as much information as possible about the circumstances that led to the concern/allegation being raised, including why the person reporting is worried about the welfare and safety of the child or vulnerable person;
- dates when the concern arose, or when the incident(s) occurred;
- circumstances in which the concern arose, or when the incident (s) occurred;
- any explanation offered to account for the risk, injury or concern;
- the victim's own statement using the words they actually used to describe the events or incident(s), if possible. *Do not make assumptions about the intended meaning of the words used;*
- details of any action already taken concerning the incident/concern/allegation; and
- any views expressed by other family members, carers, parent(s) or guardian(s) about the matter.

Records relating to Safeguarding concerns should be as detailed, accurate and objective as possible. Do not be selective in your recall of events and include detail that may to you seem irrelevant. This information may prove very useful should a subsequent investigation be deemed necessary.

Any copies of records retained must be stored in a secure manner to maintain confidentiality.

Discuss the matter with the parish priest or Safeguarding office and decide what action needs to be taken. It is important **not** to discuss the concern with anyone other than those detailed in these procedures.

## Confidentiality

It is very important to ensure the safety of all parties once an allegation is made, including the notifier. The circumstances surrounding suspected or alleged harm and/or abuse to children and the vulnerable are highly sensitive and should be dealt with in a way that respects the privacy and confidentiality of all involved.

Any reports or documentation on disclosures must be kept secure at all times and only passed to appropriate authorities and/or individuals. Access should be strictly limited to those involved in the matter, and only discussed with relevant workers or authorities.

### 3. SAFE ACTIVITIES AND PARISH RELATIONSHIPS

#### Risk Assessment and Management

The Diocese's commitment to the safety of children requires a parish/agency to undertake risk assessments of activities and services provided. As part of the overall risk management strategy, assessing any potential risks is critical in minimising harm to a child, young person or vulnerable adult.

For this purpose, a risk is anything, including the behaviour of others that can cause harm or loss to children or the vulnerable.

In assessing any activity or service provision within the Diocese it is important to consider how harm might occur, why and when it could occur. Once the level of risk is determined, the risks can be prioritised and options that effectively control the situation can be considered for implementation.

A few important things to consider are:

1. **What could possibly happen?** Think about anything that could possibly go wrong. This could include things like people hurting themselves, a fire, lack of supervision, negative media coverage of an event.
2. **How likely is it to happen?** For each risk that you've identified think about how likely it is for it to happen. Consider everything, from the far fetched to the common, the everyday to the rare.
3. **How serious would the harm be?** If it did happen, how serious could the harm be? Consider the consequence for the organisation, children, employees, volunteers etc. if harm did occur.

**Risk assessments must be conducted on all activities and services provided within the Diocese that involve children.** It's important to have a plan of action for each risk identified. What would you do in response if the identified risk happened? When the harm is serious, and the problem could arise often, you have a risk that needs immediate attention.

These assessments are to be kept on file and reviewed annually or when an adverse incident occurs or the circumstances change significantly.

The risk of harm to children and/or the vulnerable can be reduced by:

- ensuring that activities support the interest of those involved;
- providing constant supervision by reliable and trained adults;
- knowing where participants are at all times; and
- implementing appropriate risk mitigation strategies within the environment to keep participants safe.

Parents/guardians should also complete a registration/consent form for children attending activities/groups giving basic details including contact details, special needs and medical needs. See *Appendix 20 – Form: Registration – Parental Consent*

For further advice on completing a risk assessment contact the Safeguarding Office (02 6621 444).

## Resources:

- *Appendix 20 – Form: Registration – Parental Consent*
- *Appendix 21 – Guide to completing a risk assessment for activities involving children*
- *Appendix 22 – Guidance document: Risk assessment and mitigation strategies for safe environments*
- *Appendix 23 – Template: Risk assessment for parish activities involving children*
- *Appendix 24 – Template: Mitigation strategies for parish activities involving children*

## Self-Assessment Tool

An important responsibility for our parishes and agencies is to give priority to matters relating to the safety and wellbeing of children and other vulnerable groups (including young people and adults). One of the primary challenges is to bring about a cultural transformation that places the safety of children and vulnerable people at the centre of everything we do.

To assist with embedding this culture, a *self-assessment* and *continuous improvement action plan* has been developed to assist parishes within the Diocese to continuously improve their safeguarding procedures. It is intended to support parishes in reviewing the safeguarding measures they currently have in place and to identify further improvements that need to take place to ensure compliance with the 10 Child Safe Standards. It further aims to:

- build and strengthen a culture of Safeguarding children and vulnerable people within the parish community;
- support and assist parishes within the Diocese to understand, implement and comply with the Child Safe Standards;
- support and assist parishes within the Diocese to understand, implement and comply with legislative requirements, reporting obligations and the Diocese of Lismore's policy and guidance documents;
- identify potential risk of harm to children in the parish and strive for continuous improvement strategies to protect children, young people and vulnerable adults.

This tool can be found *in Appendix 25 – Self Assessment and Continuous Improvement Action Plan*. It is intended to be completed annually and has been developed using the 10 Child Safe Standards provided by the Royal Commission into Institutional Child Sexual Abuse.

For further support and guidance using the *Self Assessment and Continuous Improvement Action Plan*, please contact the Safeguarding Office.

## Professional Boundaries

We all have boundaries. These are the rules that govern how we interact in our relationships with others, indicating what we find to be acceptable and unacceptable behaviours. They are legal, ethical and organisational frameworks that protect both workers and children/ young people/vulnerable adults from physical and emotional harm, and help to maintain a safe working environment.

Workers must act professionally and appropriately when dealing with children and others with whom they come into contact with as part of their engagement the Diocese of Lismore, and maintain an awareness of potential risks and issues. This includes maintaining appropriate professional boundaries with children, young people and vulnerable adults. This obligation

extends to relationships workers have with children, young people and vulnerable adults, outside of work.

Maintaining professional boundaries requires an awareness of your own values and beliefs, distinct from those of the children, young people and vulnerable that you are working with. A single serious 'crossing of professional boundaries' by a worker, or repeated less serious breaches of professional conduct or exercise of poor judgment in the following areas, may constitute misconduct, sexual misconduct (reportable conduct) and/or breach of relevant Diocesan policies.

The Diocesan *Code of Conduct* and *Child Protection policy* extends on *professional boundaries* and forms part of the workers employment with the Diocese. Such policies must be read in conjunction with this handbook.

#### Resources:

- *Appendix 25 – Self Assessment and Continuous Improvement Action Plan*
- *Appendix 26 - Fact Sheet: Behaviours to encourage and avoid*

## Supervision – Two Adult Rule

General safe practice in all activities, recommends the application of the *Two Adult Rule* which serves to keep children and the vulnerable, as well as the adults supporting them, safe. Wherever practical no fewer than two adults should be present at all times during any parish/agency sponsored program, event or ministry involving children or the vulnerable. It is best that these two adults are not directly related. This approach is an important safeguarding measure because it:

- significantly reduces the risk of an incident of abuse occurring;
- protects the adults against false allegations;
- reduces the possibility of a claim of negligence;
- may encourage other people to volunteer if they know there will be assistance on a regular basis;
- provides help if there is an accident or emergency; and
- sends a clear statement from the Diocese that children and vulnerable adults are important and valued.

In some smaller parishes, due to capacity, this rule may be difficult to enforce. In such circumstances, it is important to communicate with your parish priest/administrator, supervisor, or Safeguarding Office to discuss alternate strategies. These may include;

- invite a parent or other parishioner to join the activity to act as a second supervising adult;
- engage the child/ren or vulnerable in open spaces or leave building doors open;
- put glass windows in the doors;
- communicate with parish priest/administrator to detail the activity prior to it starting, request calling-in throughout the activity (at least once) and calling-in again after activity to ensure your time is accounted for;
- take notes after the activity to document the events such as time, call-ins, witnesses etc. This will help provide confidence and reassurance that good practice in safeguarding is in place.

Note: These are just some examples of protective strategies to consider if the Two Adult Rule is not possible. You should discuss with your parish priest/administrator, supervisor, or Safeguarding Office if you're unsure or worried.

## Transport of children/young people

Diocese of Lismore workers should not transport children or young people in their vehicles without written consent from their parent or guardian. In the event that a child or young person needs to be transported for safety reasons the *Two Adult Rule* applies. All people travelling in a vehicle must wear seat belts, the driver should be appropriately licensed and the vehicles registered, insured and safe to drive.

## Physical Contact

Respect, safety, and appropriate boundaries are the guiding principles for physical contact between Diocesan workers and children or vulnerable adults. In some circumstances physical contact with children or vulnerable adults may be required. These may include, management of an injury, to assist with toileting etc. Where practical, an adult should provide an explanation to the child or vulnerable adult as to what the physical contact will be and why it will occur.

Consideration should be given regarding whether it is necessary to seek permission from the child or vulnerable adults parents/carers in relation to the physical contact (depending on the nature of the contact).

## Change Rooms/Toilets

Children should be afforded privacy when using toilets and change rooms. Responsible practice requires that adequate and appropriate supervision be given to children in these circumstances. Where an adult needs to assist a child, the principles set out about regarding physical contact apply. Supervising adults should work to maintain the privacy of the individuals, such as announcing entry to the room.

## Photography/Video Recording

Parishes/agencies host a range of activities including liturgical, pastoral and formational activities. It is not uncommon for parents and other family members to take photographs of these occasions. It is important, however, to be aware there are some people who may attend these activities who may take inappropriate photographs or footage of children.

It is key for parishes/agencies to highlight the need for respectful and safe photography practices, and make it clear to all in attendance that taking a photograph can be construed as obtaining personal information and therefore should be treated as any other item of personal and confidential information. Attendees are to be encouraged to use sensitivity when taking photographs and to confirm with the parents of children other than their own that they are comfortable to have their child included in photographs taken by someone other than their own family members. A similar courtesy should also be extended to adults who may be included in the photographs.

In a parish context, the responsibility for this notification lies with the parish priest, but may be delegated, for example to the coordinator of the activity. A suggested script is found in *Appendix 27 Script for Use of Photography / Videos*.

Where appropriate, parishes/agencies may restrict photography on its premises by setting conditions of entry. Where such restrictions are used they should be clear, tailored, publicised and capable of enforcement. For example, there may be a general parish policy in regard to



sacraments that says 'No photography or recording is permitted during sacraments without the express permission of the parish priest or administrator' may be promulgated. When restriction is notified, failure to comply may result in exclusion from parish premises or activities.

To capture parish events and activities, parishes may also wish children to be filmed or photographed from time-to-time. It is important to follow the *Diocesan Film and Photography Guidelines* outlined in *Appendix 29*, and obtain necessary consent to film and/or photograph children or young people. The *Consent to film and photograph form* can be found in *Appendix 28*, and within the Diocesan Social Networking Policy.

Questions to consider:

- What is the reason for this photography?
- Do you have permission to take and use images of children?
- Have you asked the child or young person how they may feel about the use of their image?
- Have you provided enough information about the image so the parent/carer can give informed consent?
- How will others interpret the image?
- Does the use of the image exploit the person in any way?
- Will you put the person at risk if you photograph them?
- Who will see promotional material containing the image?

**Remember:** The interests and welfare of children and vulnerable adults taking part in events is paramount. Parents, carers, children and vulnerable adults have the right to decide whether children's and/or vulnerable adult's images are to be taken and how those images may be used.

Refusal of consent should not in any way limit children's participation in activities.

**Resources:**

- *Appendix 27 – Script for use of photographic / filming*
- *Appendix 28 – Form: Consent to film and photograph*
- *Appendix 29 – Diocesan Film and Photography Guidelines*

## Risks of sharing images online

Your parish/agency needs to make clear to all in attendance the guidelines on the use of images, as sharing photographs and images of children or vulnerable adults on social media or other online platforms carries potential risks. For example:

- may become vulnerable to grooming if a photograph is shared alongside information that makes them identifiable. This includes: personal details, a tag with location information, visual details such as a school uniform;
- inappropriate images may be shared online;
- images may be copied, downloaded, screenshotted or shared by anyone;
- images of children or vulnerable adults may be adapted and used inappropriately;
- photos or video recordings may appear in internet search results;
- each photo or video, and any comments on them, become a part of a child or vulnerable adult's public image. This may affect them through life – for example, it may affect how they see themselves, or how they are viewed when applying for a job.

## Social Media

'Social media' is the term commonly given to web-based tools that allow users to interact with each other in some way – by sharing information, opinions, knowledge, and interests online. There are many types of social media platforms including Facebook, Twitter, Instagram, YouTube, WhatsApp, SnapChat. As the name implies, social media involves the building of online communities or networks to encourage participation and engagement.

The underpinning principle for use of social media by workers is Christ-centred love for others and respect for human dignity, both on-line and off-line, in both private and professional life.

Users of parish/agency networks also have a duty of care to maintain network security and are required to adhere to accepted policies and procedures for the professional use of electronic mail (Email) and the internet. This includes, but is not limited to:

- duty of care;
- ethical and appropriate use;
- the need to maintain privacy, confidentiality and the rights of individuals and copyright owners;
- adherence to considered and appropriate records management practices;
- appropriate use of systems, accounts, and passwords.

When using social media, workers are bound by the *Code of Conduct policy* and other relevant policies such as the Diocese of Lismore *Social networking policy* and *Acceptable use of electronic communication systems (including email) and devices policy*.

### Resources:

- *Appendix 30 – Fact Sheet: Use of technology and social media to communicate with children*

## Smoking, Alcohol Consumption and the Use of Drugs

Tobacco or illicit drugs must not be provided to a child under any circumstances. Alcohol may only be provided to a child in the context of administering sacramental wine during Holy Communion with the authorisation of the child's parent or guardian.

Those running activities for children must not use, provide or permit the use of alcohol, tobacco or illicit drugs. Where it is reasonably suspected that a worker is under the influence of alcohol or other drugs (including medication) which may impair their judgement or impact on their performance, or is consuming alcohol or using drugs during a Church activity, this must be reported to the supervisor/group leader who will act to make the situation safe in the first instance and then address the issue. This will include completing a *concern/complaints form (Appendix 13)* and informing the parish priest who will follow the process of reporting. Similarly, where it is reasonably suspected that a child has attended an activity under the influence of drugs or alcohol, or it is reasonably suspected that a child is using drugs or alcohol during a Church activity, the child needs to be managed to ensure their safety and the safety of everyone in attendance, and consideration should be given to reporting the incident to the appropriate authority.

If a worker requires medication, this should be safely secured and not accessible by children and young people.

### Resources:

- *Appendix 31 – Fact Sheet – Use of alcohol, tobacco and other drugs*

## SUPPORT SERVICES

At times we need support. The below table contains a variety of support services available for those seeking someone to talk to, guidance or assistance.

<p><b>Blue Knot Foundation</b>            Website: <a href="http://www.blueknot.org.au">www.blueknot.org.au</a>            Provides telephone counselling, information and support for adult survivors of child abuse and referral to professionals and agencies. Provides workshops for survivors, family members, partners and friends. Professional development for health professionals is also available.</p>	<p>Phone            1300 657 380</p>
<p><b>Bravehearts</b>            Website: <a href="https://bravehearts.org.au">https://bravehearts.org.au</a>            Specialist case management, face to face counselling (QLD only) and telephone counselling in all states and territories for child and adult survivors, non-offending family members and friends engaging with the Royal Commission.</p>	<p>Phone            1800 272 831</p>
<p><b>Child Wise</b>            Website: <a href="http://www.childwise.org.au">www.childwise.org.au</a>            Trauma informed telephone and online counselling for childhood abuse. Training and organisational capacity building on child abuse prevention.</p>	<p>Phone            1800 991 099</p>
<p><b>Interrelate</b>            Website: <a href="http://www.interrelate.org.au">www.interrelate.org.au</a>            Counselling and support for those affected by institutional child sexual abuse and the work of the Royal Commission. Locations in metropolitan, regional and rural NSW.</p>	<p>Phone            1300 473 528</p>
<p><b>Kids Helpline</b>            Website: <a href="https://kidshelpline.com.au/">https://kidshelpline.com.au/</a>            Free, private and confidential 24/7 phone and online counselling service for young people aged 5 to 25.</p>	<p>Phone            1800 551 800</p>
<p><b>Lifeline</b>            Website: <a href="http://www.lifeline.org.au">www.lifeline.org.au</a>            24 hour crisis support and suicide prevention.</p>	<p>Phone            13 11 14</p>
<p><b>MensLine Australia</b>            Website: <a href="http://www.mensline.org.au">www.mensline.org.au</a>            A national telephone and online support, information and referral service for men and family and relationship concerns</p>	<p>Phone            1300 789 978</p>
<p><b>Sexual Assault Counselling Australia (SACA)</b>            Website: <a href="http://www.sexualassaultcounselling.org.au">www.sexualassaultcounselling.org.au</a>            Provides telephone counselling, including a free telephone interpreting service, for people affected by the Royal Commission. Some face-to-face counselling is available in NSW and Victoria. Staffed by trauma specialist counsellors</p>	<p>Phone            1800 211 028</p>
<p><b>Survivors &amp; Mates Support Network (SAMSN)</b>            Website: <a href="http://www.samsn.org.au">www.samsn.org.au</a>            Facilitated groups and workshops for male survivors of childhood sexual abuse and their families.</p>	<p>Phone            1800 472 676</p>
<p><b>Victims Access Line</b>            Website: <a href="http://www.victimsservices.justice.nsw.gov.au">www.victimsservices.justice.nsw.gov.au</a>            Provides confidential support and information to victims of all crimes, including sexual and physical assault and domestic violence.</p>	<p>Phone            1800 633 063</p>

## Guidance document: Sample interview questions (and red flags) for child-related roles

The following are some sample interview questions to assist you when you are employing or engaging someone to work with children.

When interviewing a person to work with children, amongst other role related questions, it is recommended that the interviewer asks one (or more) of the following questions from each child-related topic.

You should try to employ or engage persons whose answers to questions fall predominantly in the green column below – positive signs. While a person who has one (1) or two (2) answers that fall in the orange column – negative signs, may still be an appropriate choice to work with children (possibly with additional support and training), you should seek advice from the Diocesan HR Manager before employing or engaging a person whose answers fall into the “red flag” category.

Sample Interview Questions	Positive signs	Negative signs	“Red Flags”
<p><b>Motivation</b></p> <ul style="list-style-type: none"> <li>• <i>Why did you decide to work with children?</i></li> <li>• <i>Can you tell us about your recent experience of working with children?</i></li> <li>• <i>What has working with children or young people taught you about yourself?</i></li> </ul>	<ul style="list-style-type: none"> <li>• Convincing response giving a balanced understanding of self and circumstance.</li> <li>• Examples of having considered other options.</li> <li>• A realistic appreciation of the challenges of working with children</li> </ul>	<ul style="list-style-type: none"> <li>• Driven by personal needs, not the needs of others.</li> <li>• Unrealistic impression of working with children.</li> <li>• Failure to consider other options.</li> </ul>	<ul style="list-style-type: none"> <li>• Shows a lack of understanding of a child's need for boundaries, or talk about unclear boundaries with children, such as being friends with them.</li> <li>• Shows no understanding of children's needs, expectations and perspectives.</li> <li>• Demonstrates high unrealistic expectations of children.</li> <li>• Wants the role to meet their needs and not the children's needs.</li> <li>• Uses inappropriate language when talking about children.</li> <li>• Vague about their experience with children.</li> </ul>

<p><b>Recent employment</b></p> <ul style="list-style-type: none"> <li>• <i>Why did you leave your previous employment?</i></li> <li>• <i>Have you been the subject of a workplace misconduct investigation related to work with children. If so, what was the outcome?</i></li> </ul>	<ul style="list-style-type: none"> <li>• A forthright answer with an explanation.</li> </ul>	<ul style="list-style-type: none"> <li>• Resigned or dismissed from previous employment due to “personal reasons”.</li> </ul>	<ul style="list-style-type: none"> <li>• Disclosure of inappropriate behaviour if adverse findings were made.</li> <li>• Cannot explain gaps or inconsistencies.</li> </ul>
<p><b>Knowledge of child protection</b></p> <ul style="list-style-type: none"> <li>• <i>If a parent made a complaint or allegation about a fellow member of staff, what would you do?</i></li> <li>• <i>If you had concerns about a colleague with regards to his or her behaviour or attitude towards the children in his or her care, how will you deal with this?</i></li> <li>• <i>Safeguarding children is an important part of our work. Can you give me some examples of how you would contribute to making the organisation a safer environment for children?</i></li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrates an understanding of the mandatory obligation to report allegations of abuse to either their supervisor, the NSW Police, Department of Communities and Justice or Office of Children’s Guardian.</li> </ul>	<ul style="list-style-type: none"> <li>• A vague understanding of reporting obligations.</li> </ul>	<ul style="list-style-type: none"> <li>• A lack of understanding of reporting obligations.</li> </ul>
<p><b>Discipline</b></p> <ul style="list-style-type: none"> <li>• <i>Tell me about a time when a child or young person behaved in a way that caused you concern. How did you deal with that? Who else did you involve?</i></li> <li>• <i>Tell me about a time when you have been working with children and your authority was seriously challenged. How did you react? What strategies did you employ to bring things back on course? With hindsight, how might you have improved your response?</i></li> </ul>	<ul style="list-style-type: none"> <li>• Calmly ask the children to stop. Ask them to assist you in rectifying the concern or space, eg help you tidy up the area and put things away</li> <li>• Discuss the issue with the children.</li> <li>• Set up rules and boundaries and supervise the children.</li> </ul>	<ul style="list-style-type: none"> <li>• Let the behaviour continue because they are only children.</li> <li>• Physically stop the children from misbehaviour (even if the children can manage to stop themselves).</li> </ul>	<ul style="list-style-type: none"> <li>• Physically stop the children from misbehaviour (even if the children can manage to stop themselves).</li> <li>• Use of physical force to discipline, eg smacking.</li> <li>• Use of inappropriate language with children.</li> </ul>

## Guidance document: Sample reference check questions (and red flags) for child-related roles

Conducting reference checks is another important way to determine whether a person is suitable to work with children.

Two (2) to three (3) reference checks must be obtained for each prospective employee. For prospective volunteers, two (2) reference checks will suffice. Religious appointees must also provide three (3) referees.

It is recommended that:

- the referees should not be related to the applicant,
- for employees, at least two (2) referees should be from a previous employer (where possible),
- records relating to each reference are kept (e.g. the name and the position of the referee, how long they have known the applicant) by the person who conduct the reference checks, and,
- answers within the green category 'positive signs' below are preferred. You should seek advice from the Diocesan HR Manager before employing or engaging a person if any of their referees' answers fall into the red category 'red flags' below.

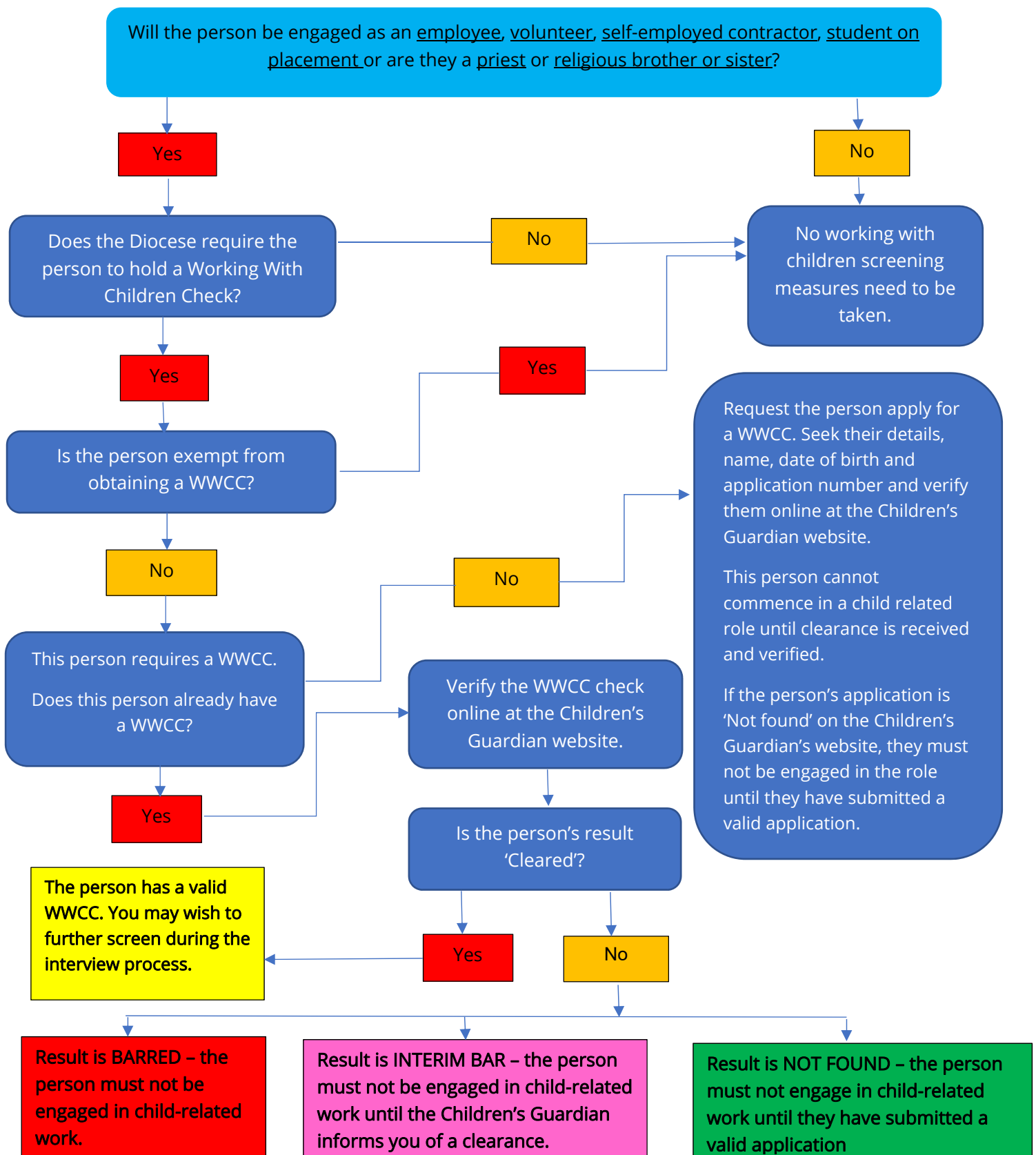
In addition to the standard questions asked of referees, the following questions should be asked where the applicant will be working in a child-related role.

Sample Questions	Positive signs	Negative signs	"Red Flags"
<p><b>Ask the referee:</b></p> <p><i>Would you re-employ the applicant, if not why?</i></p> <p><i>Whilst employed with you, was the applicant the subject of any disciplinary process?</i></p> <p><b>If the applicant's previous position required them to work with children, ask the referee:</b></p> <p><i>How would you describe the applicant's behaviour and interaction with children?</i></p> <p><i>Are you aware of any reason that the applicant should not be working with children?</i></p>	<ul style="list-style-type: none"> <li>• The answer provided by the referee corresponds with the applicant's answer.</li> <li>• No indication of any inappropriate behaviour/s.</li> </ul>	<ul style="list-style-type: none"> <li>• The answer provided by the referee is partly inconsistent with the applicant's answer.</li> <li>• Disclosure of applicant's inappropriate behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>• The answer provided by the referee is completely inconsistent with the applicant's answer.</li> <li>• Disclosure of the applicant's inappropriate behaviour.</li> <li>• Hesitation in reply</li> <li>• Declining to answer</li> </ul>

## Flowchart: Screening of persons working with children

It is a legal requirement under the Child Protection (Working with Children) Act 2012 (NSW) that any worker whose role involves direct contact (i.e. physical contact or face-to-face contact) with children as part of their role must have a Working with Children Check (WWCC) clearance number prior to commencing their role.

Before you engage any person to work at your parish, in any role capacity with children (including a volunteer or contractor), you should follow the steps below to **prior to commencing any work**



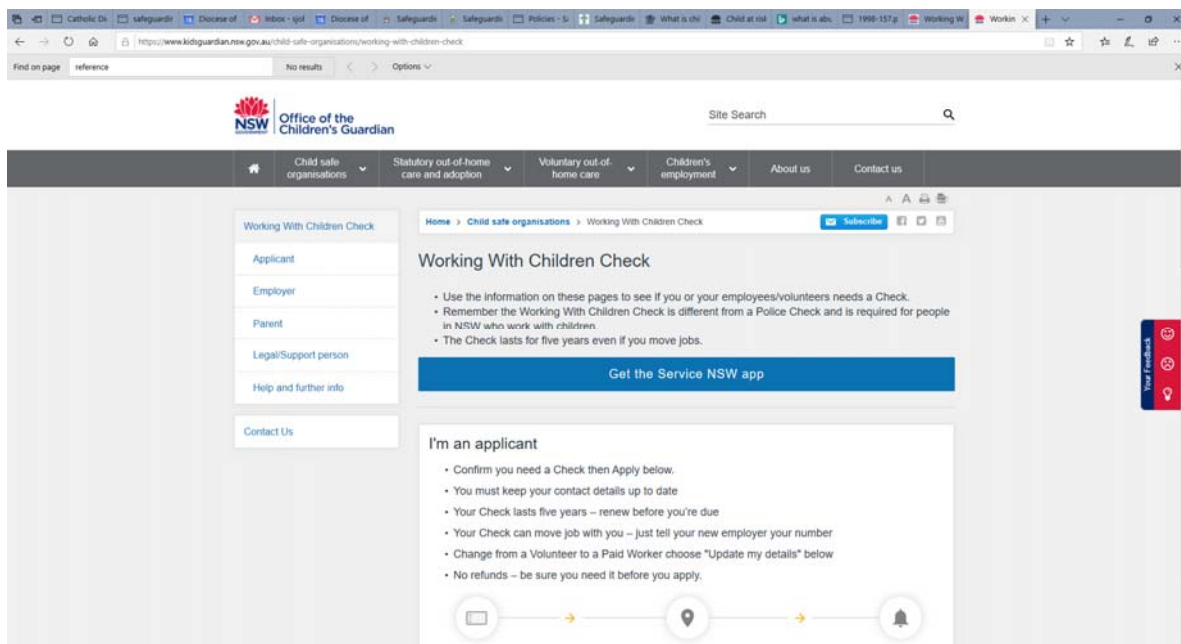
## Frequently Asked Questions: Working with Children Checks (WWCC)

It is a legal requirement under the Child Protection (Working with Children) Act 2012 (NSW) that any worker whose role involves direct contact (i.e. physical contact or face-to-face contact) with children as part of their role must have a Working with Children Check (WWCC) clearance number prior to commencing their role.

### How do I apply for a WWCC?

You can apply online or you can call the Working with Children Customer Service Team on 02 8219 3777. To apply online please use the link below and see the screen shot to follow the online application process:

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>



After a WWCC has been applied for, the applicant will receive an application number that is to be taken, with proof of identity, to the NSW Motor Registry.

### What is checked when applying for a WWCC?

The Office of the Children's Guardian is the government agency responsible for the application and verification process of the WWCC. The following records are checked when a person applies for a WWCC:

1. An applicant's national criminal history, including:
  - convictions (spent or unspent)
  - charges (whether heard, unheard or dismissed)
  - juvenile records



2. Any findings of misconduct by a reporting body are also considered. If a misconduct investigation has found that sexual misconduct (including grooming) or serious physical assault of a child has occurred, nominated reporting bodies must report this finding to the Office of the Children's Guardian.
3. Continuous monitoring: If the outcome of the WWCC is a clearance, the cleared individual will be subject to ongoing monitoring for relevant new records for the five-year life of the clearance. Some records will trigger a risk assessment by the Office of the Children's Guardian, which may lead to the clearance being cancelled.

The Check is fully portable which means it can be used for any paid or unpaid child-related work in NSW for as long as you remain cleared.

### **How long will it take to process?**

Most applications are processed within 48 hours when the applicant has no records. However, it may take up to four weeks depending on a number of factors including;

- The application form was not completed correctly
- There is a police or disciplinary information about the applicant that must be retrieved and considered before determining their eligibility to work with children
- The applicant has a common name shared by more than one person, and so work is required to match the name with the correct records that need to be reviewed.

### **Do I have to pay for a WWCC?**

If you're applying because you're a paid employee or self-employed, there's a fee for the WWCC (currently \$80). If you're a volunteer, you won't need to pay the fee.

### **How long does the WWCC last?**

The WWCC is valid for 5 years from the date of issue. A renewal is required after this time.

It is your responsibility, to apply for (and renew every five years) your own WWCC clearance number and to provide the number (prior to commencing work) to your relevant supervisor for collection and verification purposes as well as for the storage of this information. A person cannot be employed without a clearance

### **At what age does a person require a WWCC?**

Children under the age of 18 do not require a WWCC even if working in child related work in a volunteer or paid capacity.

### **Do parent volunteers require a WWCC?**

Parents and close relatives are able to volunteer without a WWCC when the volunteering is:

1. by a parent or close relative of a child in activities for the child's school, early education service or other educational institution
2. by a parent or close relative, with a team, program or other activity in which the child usually participates in or is a team member.

However, a Check is required if:

- the activities for either of the two points above involves an overnight camp for kids.  
Parents volunteering at overnight kids' camps must have a WWCC
- the work is part of a formal mentoring program, even if they are doing so as a volunteer
- if the activity or work involves the intimate personal care of children with a disability

If parents are working or volunteering to provide service for children who are not their own, then they may need a WWCC. You may need to consult with Safeguarding Office for clarification.

More information regarding exemptions can be found at:

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/parent>

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/employer/who-needs-a-working-with-children-check>

### **Office of the Children's Guardian WWCC Resources**

There is a wealth of information on the WWCC process, and accompanying resources, available on the Office of the Children's Guardian website:

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>

### **For more information**

If you have any further questions, please contact the Safeguarding office by phone on 02 6621 9444 or via email [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au)

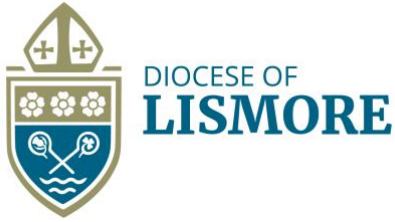
Related Documents: *Diocesan Working with Children Check (WWCC) Policy*

## Working with Children Check Checklist for Parishes

The Safeguarding Office has developed a Working With Children Check Checklist for the Parishes of the Catholic Diocese of Lismore to help become aware and compliant with NSW legislation. This checklist provides step by step instructions on how to register with the Office of the Children's Guardian and how to verify and renew Working With Children Check numbers.

Failure to be compliant with the Child Protection (Working with Children) Act 2012 legislation can result in substantial fines. For further information or assistance please email the Safeguarding Team at [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au)

Item	Yes	No	More Information
Parish is registered online with the Office of the Children's Guardian.			Register via the below link: <a href="http://www.kidsguardian.nsw.gov.au/check">www.kidsguardian.nsw.gov.au/check</a>
Parish Priest/ Administrator has been nominated as the contact in regards to a serious matter.			
All child-related positions within the Parish/Agency community have been identified.			Refer to Diocesan <i>Working with Children Check policy</i>
All those working or volunteering in child-related positions have a verified Working With Children's Check.			Online Applicants form: <a href="http://www.kidsguardian.nsw.gov.au/check">www.kidsguardian.nsw.gov.au/check</a>
All renewals of Working With Children's Check have been identified and verified.			To verify a Working With Children's Check, follow the below link: <a href="http://www.kidsguardian.nsw.gov.au/check">www.kidsguardian.nsw.gov.au/check</a>
Administration practices are in place to keep records of all verified Working with Children Checks indefinitely.			Refer to Fact Sheet: <i>Storing and sharing safeguarding records</i>
Identified procedures are in place if a worker is barred, becomes barred or refuses to get a Working With Children's Check.			Refer to the Safeguarding Children and Vulnerable Adults policy and procedures, <b>Resources</b> - <i>Screening of persons working with children.</i>
Procedures are in place to report concerns involving children.			Refer to the Safeguarding Children and Vulnerable Adults policy and procedures, <b>Resources</b> - <i>Flowchart: Reporting a child who is at risk of significant harm to DCJ, and Flowchart: Reportable conduct</i>



# Declaration of those undertaking Ministry or Church-related activity in the Diocese of Lismore

This declaration is to be completed by Workers who are engaged within the Diocese of Lismore but who are not required to obtain a Working with Children Check (WWCC).

## Section 1: Applicant's Identification Details

I,  of   
born  declare that I'm 'working for'

## Section 2: Statement by Applicant

I do not have a WWCC Clearance Number and am exempt from requiring one or am not seeking to be engaged in child-related work; therefore, I state that:

- I have not been charged with an offence relating to children or young people.
- I have not been the subject of a police investigation relating to children or young people.
- I have not had disciplinary action taken against me in a workplace regarding my interaction with a child or young person.
- I am not a "prohibited person" on the Child Protection Register under the *Child Protection (Offenders Registration) Act 2000*. I know it is an offence for a prohibited person to apply for, attempt to obtain, undertake or remain in child-related employment, **or to sign this declaration**.
- I am not a "disqualified person" as defined in section 18 of the *Child Protection (Working with Children Act) 2012*. I understand that it is an offence for me to undertake child-related work if I have been convicted of the offences detailed in that section of the Act (the offences include indecent assault, murder of a child, sexual intercourse with a child, grooming, possession of child abuse material, intentional wounding to a child, and attempts to commit such offences).
- (If applicable) I understand that when I turn 18 years of age, I need to apply for and obtain a valid NSW WWCC Clearance Number from the Office of the Children's Guardian (OCG) and provide it to the Catholic Diocese of Lismore, and I give consent for the Diocese to verify my Clearance with the OCG. I will provide 100 points of identification when I submit my Clearance number to the Diocese.  
The date I turn 18 will be  (please fill in the date)

### Section 3: Declaration by Applicant

1. I understand the Diocese does not tolerate ill-treatment of children and that I am expected to adhere to behaviour standards in my role- such as *Integrity in the Service of the Church* or any Code of Conduct that applies.
2. I have read and understood the information above and know that it is expected that I have checked the definitions in the *Child Protection (Working with Children) Act 2012* if I am uncertain whether I am a disqualified person.
3. I am aware of the requirements of the *Child Protection (Working with Children) Act 2012* and the requirement for a person to have a WWCC Clearance to engage in child-related work.
4. I am exempt from the requirement to hold or not required to hold a WWCC Clearance.
5. I understand that providing false or misleading information on this document can result in disciplinary action and will be considered during any future applications by me for engagement with the Diocese of Lismore.

Signature

Dated

### Section 4: Validation of Applicant's Identity

*N.B.: Identification must be sighted and checked by an employee of the parish/chancery/agency. Employee to certify that it has been sighted by filling in this section and signing underneath. DO NOT MAKE or RETAIN COPIES of a person's identity documents.*

I,  have conducted a Proof of Identity Check for the person named above OR I have known the applicant for a minimum of 12 months and can attest to their identity.

Signature

Dated

*ALL information on this form must be checked as correct, particularly spelling of names and dates of birth. Please complete the information required on a blank form, using clear PRINT (not script/running writing). Ensure that the both applicant and diocesan worker signs the form.*





# Protocol: Storing and Sharing Safeguarding Records

## Key obligations

It is essential that full and accurate safeguarding records are kept to comply with legislation and assist with any safeguarding queries or investigations that arise in future. While records relating to allegations of child abuse, safeguarding complaints or the operations or procedures of the Diocese, parish or agency, must be retained under relevant legislation for a period of 45 years, it is policy of the Diocese to retain these records **indefinitely**.

### 1 What are “safeguarding records”?

1.1 For the purposes of this protocol, “safeguarding records” are all records of information that relate to:

- a) children or vulnerable adults who are involved with the parish or agency;
- b) the employment or engagement (as a volunteer, contractor or otherwise) of persons working with children or vulnerable adults, including screening of those persons;
- c) Safeguarding training (including attendance records); and
- d) any concern regarding the safety or well-being of a child or vulnerable adult, whether or not that concern:
  - i) has been reported to the NSW Police, Office of Children’s Guardian or department of Communities and Justice; or
  - ii) has otherwise been reported to the Safeguarding office.

### 2 Obligations to keep and share records

- 2.1 The *Child Protection (Working with Children) Act NSW (2012)* and *Children’s Guardian Act 2019 (NSW)* contain requirements to keep certain safeguarding records related to the obligations contained in those Acts.
- 2.2 The purpose of these record-keeping requirements is to allow the Office of the Children’s Guardian to conduct audits of child-related employers and designated agencies, and to keep their child safeguarding systems under scrutiny.
- 2.3 In addition, the *Children’s Guardian Act 2019 (NSW)* and the *Children and Young Persons (Care and Protection) Act 1998 (NSW)* set out provisions that encourage the exchange of certain safeguarding records between agencies.

### 3 Diocese policy and procedure

#### 3.1 Records relating to children who are involved with the parish or agency:

- a) Each parish should keep copies of all documents relating to children who participate in activities or are otherwise involved in their parish or agency, including:
  - i) each child’s name and date of birth;
  - ii) any consent forms signed by the child’s parent or guardian;
  - iii) the activities the child participates in;
  - iv) the adults who conduct or supervise those activities; and
  - v) details of the child’s allergies or other medical needs.



### 3.2 Records relating to the employment or engagement of persons working with children, including screening

- a) In relation to each person who requires a Working With Children Check under the *Child Protection (Working With Children) Act 2012 (NSW)*, the relevant parish must keep records of the person's:
  - i) full name;
  - ii) date of birth;
  - iii) Working With Children Check number; and
  - iv) Working With Children Check expiry date.
- b) If, during the Working With Children Check verification process, a person has been:
  - i) barred; or
  - ii) placed under an interim bar,the relevant parish must keep a record of this.
- c) If a parish is notified that the Children's Guardian wishes to conduct an audit of the relevant parish or agency's records relating to Working With Children Checks, it must cooperate with all reasonable requests made by the Children's Guardian.
- d) If a parish requires any assistance or advice in relation to an audit by the Children's Guardian, they should contact the Safeguarding Office.
- e) Each parish must also keep copies of all:
  - i) CVs or resumes;
  - ii) notes of interviews;
  - iii) references received or notes of reference checks;
  - iv) employment agreements;
  - v) contractor agreements;
  - vi) volunteer agreements; and
  - vii) correspondence or other documents relating to disciplinary matters;relating to persons who work with children at the relevant parish or agency.

### 3.3 Records relating to Safeguarding training

- a) Each parish must also keep copies of all records of attendance at Safeguarding training and induction at the relevant parish or agency.
- b) The Safeguarding Office must keep all records of attendance at safeguarding training and induction.
- c) Individual parishes must keep all records of attendance at any training provided in connection with the parish.

### 3.4 Records relating to the reporting of Safeguarding Complaints

- a) Each person who makes a report to the NSW Police regarding a suspected reportable crime must keep a record of the following information and provide a copy to the Safeguarding Office:
  - i) the date they became aware of the suspected reportable crime;
  - ii) the names of the alleged victim and perpetrator (unless the victim has requested their

- name be kept confidential);
  - iii) any correspondence with any other person regarding the suspected reportable crime, including file notes of conversations; and
  - iv) a copy of the report made to the NSW Police.
- b) Each parish must keep records relating to safeguarding complaints that are reported to them and provide them to the Safeguarding Office, including but not limited to:
  - i) the person who raised the matter;
  - ii) date the matter was raised;
  - iii) the name of the alleged victim and/or perpetrator (unless the victim wishes to remain confidential);
  - iv) brief details of the matter;
  - v) the date the matter was notified to the Safeguarding Office; and
  - vi) copies of any documents in their possession created in relation to the matter, before or after it was reported to the Safeguarding Office.
- c) In addition to the above, the Safeguarding Office must keep records relating to all safeguarding complaints that are reported, including but not limited to:
  - i) correspondence with any party relating the matter;
  - ii) any reports made to the NSW Police, Office of Children's Guardian or Department of Communities and Justice;
  - iii) any investigation reports; and
  - iv) details of any action taken in relation to the matter.
- d) In practice, the Safeguarding Office assists with reporting Reportable Crimes to the NSW Police and will provide a copy of its report to the person who originally notified the Reportable Crime to the Safeguarding Office.

### 3.5 Sharing child protection records

- a) In the event that a request is made by a government or non-government agency for safeguarding records, any such request should be immediately directed to the Safeguarding Office.
- b) The Safeguarding Office will seek legal advice as to whether the requested documents should be produced.

### 3.6 General obligations for record retention

- a) Records relating to Safeguarding Complaints or incidents should be as detailed, accurate and objective as possible.
- b) Records should be stored securely in physical and or/digital environments where they will not be subject to alteration or corruption.
- c) It is policy of the Diocese to retain records relating to allegations of child abuse, safeguarding complaints or the operations or procedures of the Diocese, parish or agency, **indefinitely**.

## FACT SHEET: Storing and Sharing Safeguarding Records

It is a legal requirement to retain safeguarding records. They also assist with any future queries or investigations. While these records must be retained under relevant legislation for a period of 45 years, it is policy of the Diocese to retain them **indefinitely**.

All parishes and agencies must keep records of the information listed below and provide them to the Safeguarding Office when requested. If you receive a request for safeguarding records from a government or non-government agency, you should immediately contact the Safeguarding Office for advice and assistance.

### Records relating to children

- Each child's name and date of birth
- Consent forms signed by the child's parent or guardian
- The activities the child participates in and the person who conducts or supervises those activities
- Details of the child's allergies or other medical needs

### Records relating to Reportable Crimes

To be completed by the person who reports the matter to the NSW Police

- The date they became aware of the suspected Reportable Crime
- Names of the alleged victim and suspected person
- Any correspondence with any other person regarding the suspected Reportable Crime, including file notes of conversations
- A copy of the report made to the NSW Police

### Records relating to other Safeguarding Complaints

- The person who raised the matter and date it was raised
- The name of the alleged victim and/or alleged perpetrator (unless the victim wishes to remain confidential)
- Brief details of the matter and any action taken in relation to the matter
- The date the matter was notified to the Safeguarding Office
- Copies of any other documents created in relation to the matter, before or after it was reported to the Safeguarding Office, including file notes of any conversations

### Records relating to persons who work with children

- Each person's full name and date of birth
- Each person's Working with Children Check (WWCC) number and expiry date
- Names of applicants whose WWCC could not be verified
- CV's or resumes
- Notes of interviews
- References received or notes of reference checks
- Employment agreements
- Contractor agreements
- Volunteer agreements
- Correspondence or other documents relating to disciplinary matters
- Records of attendance at safeguarding training

## FACT SHEET: Mandatory Reporting

Children and Young Persons (Care and Protection) Act 1998 (Care Act)

Information for Clergy, Agency and Parish workers in a child related role within the Diocese of Lismore

### What is mandatory reporting?

Mandatory reporting is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities. In NSW, mandatory reporting is regulated by the Care Act. Legislative grounds for intervention in NSW cover young people up to 18 years of age, but it is not mandatory to report suspicions of risk of harm in relation to young people aged 16 and 17 years. **It is mandatory to report suspicions of risk of harm in relation to children under the age of 16 years.**

**From 1 March 2020**, amendments to the Care Act will commence and expand the mandatory reporter group to include Clergy, agency and parish workers (paid and unpaid) in child related roles. These amendments are in line with the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

### Who are mandatory reporters in NSW?

In NSW mandatory reporting obligations apply to persons who deliver the following services wholly or partly to children as part of their professional work or other paid employment and those in management positions in organisations that deliver those services<sup>1</sup>:

- Health Care
- Welfare (psychologists, social workers)
- Education (teachers, counsellors)
- Disability Services
- Children's Services
- Residential Services
- Law Enforcement
- **Persons in religious ministry or persons providing religion based activities to children**
- Registered psychologists

### When is a mandatory reporter required to make a report?

A mandatory reporter must make a report when they have **reasonable grounds** to suspect that a child or young person is at **risk of significant harm** and those grounds arise in the course of, or from their work or role. A mandatory reporter has a duty to report, as soon as practicable, the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm<sup>2</sup>.

### Risk of Significant Harm Definitions

- Circumstances that are causing concern for the safety, welfare or wellbeing of the child or young person to a significant extent which means the concern is sufficiently serious to warrant a response by a statutory authority (such as NSW Police Force or Community Services) irrespective of a family's consent.
- Is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or wellbeing.
- The significance can result from a single act or omission or an accumulation of these.

### Categories of Risk of Significant Harm<sup>3</sup>:

A child or young person is at **risk of significant harm** if there are current concerns for their safety, welfare or wellbeing because of the presence, to a significant extent, of any one or more of the following circumstances:

<sup>1</sup> Children and Young Persons (Care and Protection) Act 1998 section 27(1) and (b)

<sup>2</sup> Children and Young Persons (Care and Protection) Act 1998 section 27(2)

<sup>3</sup> Children and Young Persons (Care and Protection) Act 1998 section 23(1)

- a) the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met,
- b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
- b1) in the case of a child or young person who is required to attend school in accordance with the *Education Act 1990*—the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,
- c) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
- d) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,
- e) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,
- f) the child was the subject of a pre-natal report under *section 25* and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

### **What support is available to help mandatory reporters decide whether to make a report?**

Mandatory reporters are required to report to the Child Protection Helpline as outlined in the Diocese flowchart *Reporting a Child who is at Risk of Significant harm to DCJ*.

For support please contact the Safeguarding Office at [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au) or **phone 02 6621 9444**

### **New protections for reporters: Section 29**

The Royal Commission found that protections for reporters of child sexual abuse varied throughout Australian jurisdictions and a lack of reporter protections can act as a barrier to reporting. To remove this barrier and comply with the Royal Commission's recommendations, additional protections for reporters have been inserted into the Care Act.

A new section, *Section 29*, has been inserted into the Care Act providing specific protections to reporters who make reports to institutions engaged in child related work. These reporters are protected from liability for defamation and civil and criminal liability. The section also provides that the report does not constitute a breach of professional etiquette or ethics or amount to unprofessional conduct<sup>4</sup>.

All reporters are now protected against retribution for making, or proposing to make, a report<sup>5</sup>.

### **More Information**

For more information on mandatory reporting you can visit the Department of Communities and Justice website at [dcj.nsw.gov.au](http://dcj.nsw.gov.au)

Or access the Mandatory Reporter Guide at [reporter.childstory.nsw.gov.au](http://reporter.childstory.nsw.gov.au)

If you have specific questions about the Care Act in relation to mandatory reporting, you can email the Safeguarding Office at [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au) or phone **02 6621 9444**

<sup>4</sup> Children and Young Persons (Care and Protection) Act 1998section 29AAA from 1 March 2020

<sup>5</sup> Children and Young Persons (Care and Protection) Cat 1998section 29AB from 1 March 2020

## If you're concerned about the safety, welfare or wellbeing of a child (under 16 years)

*Note: It is mandatory to make a report if the child is under the age of 16 years and at risk of significant harm. It is not mandatory to make a report in relation to young people aged 16 and 17 years, however professional judgement should be used in deciding whether concerns about the safety, welfare or wellbeing of a young person warrant a report*

Contact  
000 if an  
emergency

If you are in a child-related role (which includes a person in religious ministry or a person providing religious-based activities to children) you are considered a mandatory reporter and have a legal obligation to follow the steps below

### Steps for a Mandatory Reporter

For non-emergencies, discuss with Parish Priest then complete the Mandatory Reporter Guide (MRG) online - <https://reporter.childstory.nsw.gov.au/s/mrg>

Follow the result of the MRG which will be option a, b or c.

If you require support at any time, contact the Safeguarding Office.

If the result is to:

**a. MAKE A REPORT** to the Child Protection Helpline by

- phone 132 111
- use Diocese of Lismore 'Safeguarding Report Form' to record the details of the call

**OR**

- online – print copy of e-report made via online portal

You will receive an outcome from the Department of Communities and Justice, via email, within a few days.

- Save a copy of documentation to Parish files
- Update the Parish Priest with the outcome

**b. CONSULT WITH A PROFESSIONAL:**

*(this is a result that did not meet the threshold to report)*

- talk to Parish Priest or the Safeguarding Office
- follow the result which will guide you to a local professional service

**c. DOCUMENT AND CONTINUE RELATIONSHIP:**

*(this is a result that did not meet the threshold to report)*

- follow steps in green box

If you are in a role which is not child-related you are not a mandatory reporter and don't have a legal requirement to report

### Steps if not a Mandatory Reporter or no report required by the Mandatory Reporter Guide (MRG), but you have concerns

1. Discuss concerns with Parish Priest.
2. You may consider what supports exist to help;
  - Community
  - Family Referral Services (will connect you with services)
  - Other support services
3. If concerns remain, you can contact the Child Protection Helpline if you wish (no legal obligation).
4. A record should be made of your concerns (to be held at the Parish) to refer to in the future.

### Contact Details

Mandatory Reporting Guide (MRG)  
<https://reporter.childstory.nsw.gov.au/s/mrg>



Child Protection Helpline  
P 132 111

Safeguarding Office  
P 02 6621 9444

E [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au)





## Concern / Complaint Form

Receiving a disclosure and recording the information is an important step in supporting the alleged victim. This form should be used to record a suspicion, allegation or disclosure of abuse or a complaint of inappropriate conduct.

Please do not discuss the concern with anyone other than your parish priest, manager or Safeguarding office. *If there's immediate danger please contact police immediately.*

<b>Your Details</b>	Name: _____ Tel: _____ Email: _____ Position: _____ Parish/Order: _____
<b>Details of the Alleged Victim</b>	Name: _____ Date of Birth: _____ Age: _____ Tel: _____ Address (if known): _____ _____ Ethic Origin: _____ Language: _____
<b>Parent/Carer details (where applicable):</b>	Name: _____ Address (if known): _____ _____ Tel: _____ Is the parent/carers aware of the allegation, suspicion or complaint? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Details of person making complaint</b>	Name: _____ Address (if known): _____ _____ Tel: _____ Email: _____ Relationship to child or alleged victim: _____

**Details of person  
who the complaint  
was made against**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Tel: \_\_\_\_\_

Relationship to child/victim (ie: parent/Priest/teacher): \_\_\_\_\_

Address at the time of incident(s): \_\_\_\_\_

Position within Parish: \_\_\_\_\_

1. Nature of the complaint – include time, date, location and what happened (this can include observations of alleged victim's behaviour).

2. Details of any injuries and if the alleged victim received medical attention.

3. Accurately record what the alleged victim said when describing what happened.

(In the case of an allegation of abuse, formal investigations and interviews will be carried out by Department of Communities and Justice (DCJ) and/or NSW Police. You must record only what the child has said at the point of initial disclosure it is not your role to investigate.)



4. Details of any witnesses?

5. Does this complaint indicate the possibility of abuse, i.e. physical abuse, sexual abuse, neglect?

Yes     No

**If yes**, you must now consider your mandatory reporting obligations.

6. Does this complaint amount to Reportable Conduct or Conviction? Please indicate which category?

- Sexual abuse
- Physical assault
- Sexual misconduct
- Ill-treatment
- Neglect
- Psychological harm
- Offence under S43B of NSW Crimes Act (failure to protect)
- Offence under S316A of NSW Crimes Act (failure to report)
- Reportable conviction

7. Who did you make a report to?

- Parish Priest
- Safeguarding Office (via 66 21 9444 or [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au))

- Police (via 000 or Local Area Command (LAC))
- Office of Children's Guardian
- Department of Communities and Justice (DC&J) (via 132 111)

Names and details of people spoken to:

8. What actions were agreed upon and by whom? Please specify.

9. Form completed:

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Signed: \_\_\_\_\_

(A copy must be retained by the recipient of the disclosure and filed in a secure location. A copy must be sent to the Safeguarding Office and, as required, the police shall receive a copy of this record).

## FACT SHEET: Reportable Conduct Scheme

Children's Guardian Act 2019 Part 4 (The Act)

### Information for Clergy, Agency and Parish workers in a child related role within the Diocese of Lismore

**From 1 March 2020**, the *Children's Guardian Act 2019* (The Act) came into effect and replaced Part 3A of the NSW Ombudsman Act 1974 which provided the framework for the Reportable Conduct Scheme (The Scheme). The Act provides a new legislative framework for The Scheme. The Scheme covers all workers including Clergy, paid employees and volunteers providing services to children, as well as contractors delivering services to children, who are required to hold a Working with Children Check in the Diocese of Lismore.

#### What is the Reportable Conduct Scheme?

The Reportable Conduct Scheme is an allegations-based scheme. The Scheme oversees how organisations investigate and report on certain conduct (known as "reportable allegations" and "reportable convictions") made against Clergy, employees, volunteers or contractors who provide services to children. The Scheme covers religious bodies, in line with recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.<sup>1</sup>

A particular requirement of The Scheme is to ensure specified systems are in place for preventing, detecting and responding to reportable allegations or convictions. The goal of 'prevention' is a critical element of The Scheme.

The Scheme exists to protect children as well as workers.

#### What is a Reportable Allegation or Reportable Conviction?

A reportable allegation is an allegation that a worker has engaged in conduct that may be reportable conduct<sup>2</sup>. A reportable conviction means a conviction (including a finding of guilt without the court proceeding to a conviction), in

NSW or elsewhere, of an offence involving reportable conduct.

#### The *Children's Guardian Act 2019* defines Reportable Conduct as:

- A sexual offence
- Sexual misconduct
- Ill-treatment of a child
- Neglect of a child
- An assault against a child
- An offence under section 43B or 316A or the *Crimes Act 1900* and
- Behaviour that causes significant emotional or psychological harm to a child.

#### What does it mean for you?

1. As a member of the Clergy or worker (paid or volunteer) of the Diocese you have an obligation to report alleged reportable conduct of colleagues who work with children.
2. The Scheme covers the conduct of workers towards children both at home and at work.
3. If an allegation of reportable conduct is made about your behaviour towards children, the Diocese must report to the Office of the Children's Guardian and initiate an investigation.

#### How to report an allegation of reportable conduct?

Reportable allegations or convictions against Clergy or workers may be received by the Priest of the Parish who in turn will report the concern to the Safeguarding Office (Chancery). Alternatively you can report directly to the Safeguarding Office (Chancery) by emailing [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au) or phone **02 6621 9444**

<sup>1</sup> NSW Reportable Conduct Scheme – helping to keep kids safe, <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme> 05/01/2020

<sup>2</sup> Children's Guardian Act 2019 (NSW), Part 4 (20)

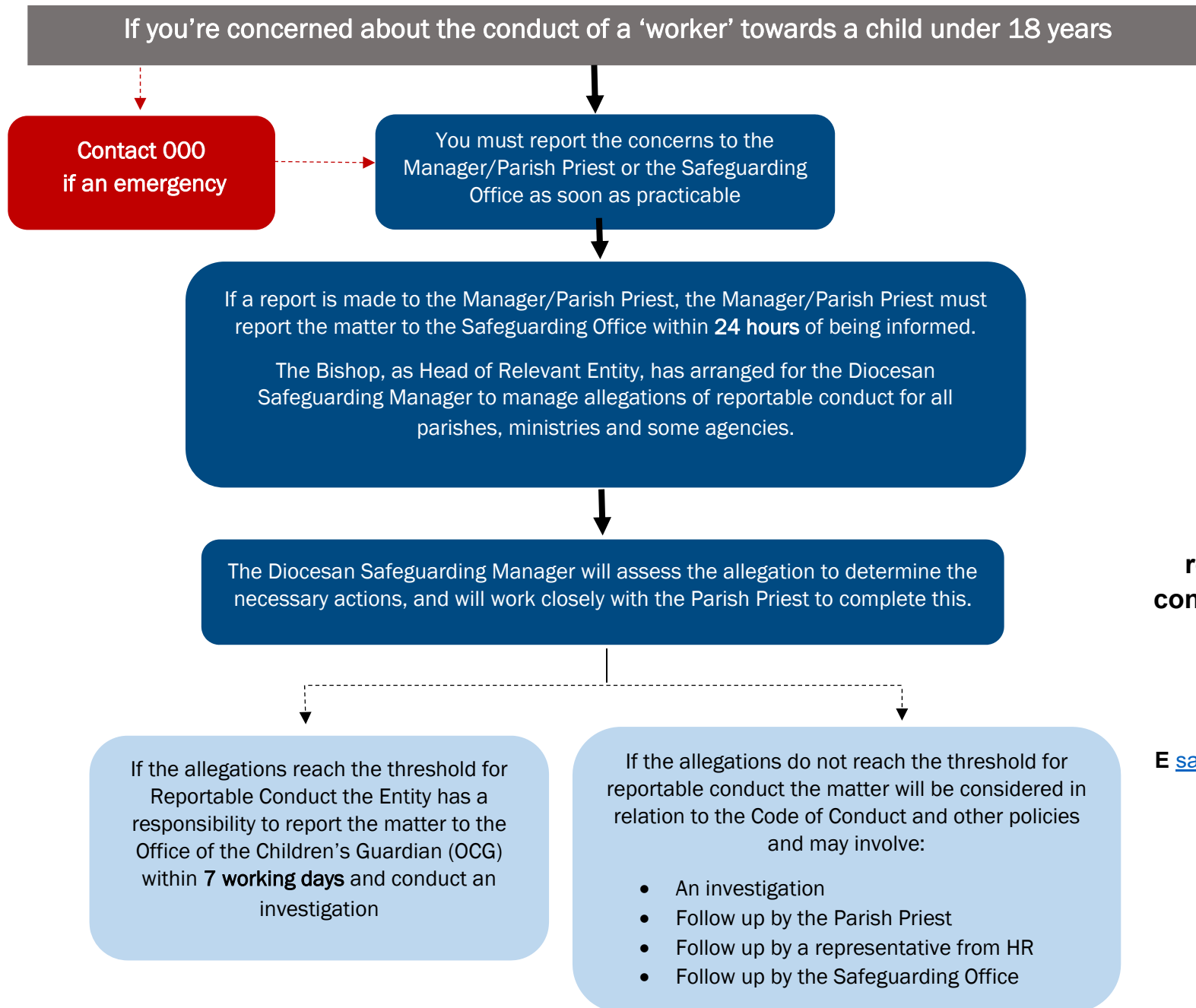
## **More Information**

For further information on the Reportable Conduct Scheme you can visit the Office of the Children's Guardian website at [kidsguardian.nsw.gov.au](https://kidsguardian.nsw.gov.au)

If you have specific questions about the *Children's Guardian Act 2019* in relation to Reportable Conduct, you can email the Safeguarding Office at [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au)

***The concern will be taken seriously.***

## Reportable Conduct Flowchart



**TIME IS  
CRITICAL**

**If you're unsure whether something may be an allegation, or constitutes reportable conduct, please contact the Safeguarding Office for advice.**

Safeguarding Office  
P 02 6621 9444

E [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au)



## Whistleblower Protection Guidelines – Safeguarding Children, Young People & Vulnerable Adults

All clergy, staff and volunteers in the Catholic Diocese of Lismore must bring safeguarding matters of concern to the attention of their supervisor/manager. This may be the Parish Priest or Head of Relevant Entity (Safeguarding Manager). You may be the first to recognise that something is wrong, but you may not feel comfortable in expressing your concerns out of a feeling that this would be disloyal to colleagues or you may fear being victimised or harassed by the subject of your concerns. However, your hesitation must never result in a child, young person or vulnerable adult continuing to be unnecessarily at risk of harm.

**Be assured, your concerns will be dealt with in confidence and you will not be harassed or victimised for bringing this information to our attention.**

**Do not think “what if I am wrong?” – Think “what if I am right!”**

### Reasons for whistle blowing

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour
- To protect or reduce the risks to others
- To prevent the problem from worsening and to prevent yourself from being implicated

### What stops people from whistleblowing

- Fear of getting it wrong or not being believed
- Fear of repercussions and disruption to work
- Fear of starting a chain of events that could get out of control

### How to raise a concern

- Approach your parish priest or, if you are not comfortable talking to your parish priest, contact the Safeguarding Office
- If the concern is about the parish priest contact the Safeguarding Office
- Make sure a satisfactory response is secured – don’t let your concerns rest
- You are not expected to prove the truth of your concerns, but you will need to demonstrate sufficient grounds for your concern

### What happens next?

- You should be given information on the nature and progress of any enquiries resulting from your concern
- The Diocese of Lismore has a responsibility to protect you from any harassment or victimisation
- No action will be taken against you if your concern proves to be unfounded and was raised in good faith
- Malicious allegations may be considered a disciplinary offence

## FACT SHEET: Reporting Crimes to the NSW Police

The NSW Government introduced reforms to strengthen child sexual abuse laws. The new laws are based on the Royal Commission's Criminal Justice Report. *The Criminal Legislation Amendment (Child Sexual Abuse) Bill 2018* made these changes and was introduced into the NSW Parliament in June 2018<sup>1</sup>.

The changes most relevant to Chancery, Parish and Clergy are;

### **Failure to report offence** (s316A, Crimes Act 1900)

Under the Crimes Act 1900 (NSW), all adults in NSW are required to report information to police if **they know, believe or reasonably ought to know** that a child (under 18 years) has been abused.

Failing to report information to police without a reasonable excuse is an offence punishable by up to two years imprisonment. The penalty is five years if the person has accepted any benefit in exchange for failing to report.

A person will not be guilty of the offence if he or she has a **reasonable excuse** for not reporting the information to the police\*. Examples of reasonable excuse include:

- If the offence has already been reported under mandatory reporting obligations, such as to the Child Protection Helpline or to the Office of the Children's Guardian under the Reportable Conduct Scheme, or the person believes on reasonable grounds that another person reported
- If the person believes on reasonable grounds that the information is already known to police
- If the victim is now an adult and doesn't want the offence reported
- If the person fears for their safety or another person's safety if they report
- If the information was obtained by the person when they were under the age of 18 years

*\*The issue of whether the offence will apply when a person received their information from a religious confession is covered by uniform evidence law that applies in multiple Australian jurisdictions.*

*EVIDENCE ACT 1995 - SECT 127. (1) A person who is or was a member of the clergy of any church or religious denomination is entitled to refuse to divulge that a religious confession was made, or the contents of a religious confession made, to the person when a member of the clergy.*

### **Failure to protect offence** (s43B, Crimes Act 1900)

Under the Crimes Act 1900 (NSW), an adult working in an organisation (including Parish and Chancery) doing child related work will commit an offence if they **know** another adult working there poses a serious risk of abusing a child and they have the **power to reduce or remove the risk**, and they **fail to do so**.

The offence will be punishable by up to two years imprisonment.

### **Broader Grooming Offences** (s66EB and s66EC, Crimes Act 1900)

The offence of grooming a child refers to any adult who offers a child a material or financial benefit with the intention of making it easier to access the child for unlawful sexual activity.

This includes giving a child gifts or money, which can be used to gain a child's trust. The maximum penalty for the offence is 12 years' imprisonment if the child is under 14 years of age and 10 years' imprisonment if the child is 14 or 15 years old

It also includes any adult, or provides gifts or money to an adult, with the intention of making it easier to access a child in their care for unlawful sexual activity. The offence is punishable by up to six years' imprisonment where the child is under 14 years of age and five years' imprisonment where the child is 14 or 15-year-old

### **More Information:**

For further information, you can visit the NSW Department of Communities & Justice website at [dcj.nsw.gov.au](http://dcj.nsw.gov.au)

If you have specific questions about the new legislation, you can email the Safeguarding Office at [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au) or phone 02 6621 9444

<sup>1</sup> NSW Government Fact Sheet: New legislation to strengthen child sexual abuse laws

## FACT SHEET: What is a Reportable Crime?

Reportable Crimes include Child Abuse Offences and Serious Indictable Offences and must be reported to NSW Police. The Diocese requires all Reportable Crimes to be reported to NSW Police.

The types of Reportable Crimes that could arise in the parish or agency context are:

### Physical Assault of a Child or Adult

**For example:** hitting, pushing, shoving, throwing objects, making threats of physical harm.

### Sexual touching involving a Child

**For example:** any touching of a Child’s genital, anal or breast area, including through any clothing.

### Any other Sexual Act involving a Child

**For example:** any act of a sexual nature with or towards a Child, including making a Child commit an act of a sexual nature towards the perpetrator.

### Possessing, disseminating or producing Child Abuse Material

**Child Abuse Material includes:** Child pornography, as well as material that depicts a Child as a victim of torture, cruelty or physical abuse.

### Stealing

**For example:** any act of stealing, regardless of the amount of money or the value of the property stolen.

### Sexual or indecent assault of a Child or adult

**For example:** sexual intercourse (which is interpreted broadly), intended Sexual Assault and/or kissing without consent.

*Note:* a Child under the age of 16 cannot give consent.

### Grooming a Child for sexual activity behaviour

**For example:** inappropriate gift giving, spending inappropriate “special time” with a Child, inappropriately allowing a Child to overstep the rules, testing boundaries with a Child, inappropriately extending a relationship outside work, or engaging in inappropriate personal communication with a Child.

### Recording or distributing Intimate Images of a Child

**For example:** Recording or distributing images of a Child showering or undressing, or altering an image to appear as though a Child is engaged in a private act.



## Table of Reportable Crimes

While the *Crimes Act 1900* (NSW) refers separately to Child Abuse Offences (in section 316A) and Serious Indictable Offences (in section 316), for the purpose of this document, “Reportable Crimes” are defined as including both Child Abuse Offences and Serious Indictable Offences.

Reportable Crimes must be reported to the NSW Police.

### Child Abuse Offences

Under s 316A of *Crimes Act 1900* (NSW), it is an offence for an adult to conceal a Child Abuse Offence, and any such offences must be reported to the police. A Child Abuse Offence is any of the offences listed in the following table committed against a Child.

Section	Offence
<b>Offences against the person – homicide</b>	
19A	Murder and manslaughter
20	Murder of a Child born alive
21	Murder of a Child by the mother
22A	Infanticide
27	Acts done to the person with intent to murder
29	Certain other attempts to murder
<b>Offences against the person – endangering life and causing bodily harm</b>	
33	Wounding or causing grievous bodily harm with intent
35	Reckless grievous bodily harm or wounding
37	Attempted strangulation, choking or garrotting with intent to commit an indictable offence
38	Administering an intoxicating substance with intent to commit an indictable offence
38A	Spiking drink or food
39	Using poison, etc. to endanger life or inflict grievous bodily harm
41	Using poison, etc. to injure or to cause distress or pain
41A	Poisoning, etc. of water supply
42	Causing grievous bodily harm to a Child at the time of birth recklessly or with intent
43	Abandoning or exposing a Child under 7 years causing a danger of death or serious injury
43A	Failing to exercise parental responsibility to care for a Child under 16 years causing a danger of death or serious injury
44	Failure of persons to provide necessities of life
45	Prohibition of female genital mutilation
45A	Removing a person from State for female genital mutilation

Section	Offence
46	Causing bodily injury by gunpowder, etc.
<b>Assaults</b>	
59	Assault occasioning actual bodily harm
60E	Assaults at schools
<b>Offences in the nature of rape and other acts of Sexual Assault</b>	
61I	Sexual Assault
61J	Aggravated Sexual Assault
61JA	Aggravated Sexual Assault in company
61K	Assault with intent to have sexual intercourse
61L	Indecent assault
61M	Aggravated indecent assault
61N	Act of indecency
61O	Aggravated act of indecency
61P	Attempt to commit indecent assault, aggravated indecent assault, an act of indecency or an aggravated act of indecency
66A	Sexual intercourse – Child under 10
66B	Attempting or assaulting with intent to have sexual intercourse with Child under 10
66C	Sexual intercourse – Child between 10 and 16
66D	Attempt or assaulting with intent to have sexual intercourse with a Child between 10 and 16
66EA	Persistent sexual abuse of a Child
66EB	Procuring or Grooming Child under 16 for unlawful sexual activity
66F	Sexual offences committed against persons with cognitive impairment
73	Sexual intercourse with Child between 16 and 18 under special care
78A	Incest
78B	Incest attempts
79	Bestiality
80	Attempt to commit bestiality
80A	Sexual Assault by forced self-manipulation
80D	Causing sexual servitude
80E	Conduct of business involving sexual servitude
80G	Incitement to commit sexual offence
<b>Kidnapping</b>	
86	Kidnapping

Section	Offence
87	Child abduction
<b>Child prostitution</b>	
91D	Promoting or engaging in acts of Child prostitution
91E	Obtaining benefit from Child prostitution
91F	Premises not to be used for Child prostitution
<b>Child Abuse Material</b>	
91G	Children not to be used for production of Child Abuse material
91H	Producing, disseminating or possessing Child Abuse material
<b>Voyeurism and related offences</b>	
91J	Voyeurism
91K	Filming a person engaged in private act
91L	Filming a person's private parts
91M	Installing device to facilitate observation of filming
<b>Recording and distributing Intimate Images</b>	
91P	Record intimate image without consent
91Q	Distribute intimate image without consent
91R	Threaten to record or distribute intimate image
<b>Former sexual offences</b>	
Any offence set out in Schedule 1A of the <i>Crimes Act 1900</i> (NSW), committed against a Child	

### **Serious indictable offences**

Under section 316 of the *Crimes Act 1900* (NSW), it is an offence to conceal a Serious Indictable Offence which is an offence punishable by imprisonment for a period of 5 years or more and any such offences must be reported to the police. The following table sets out relevant Serious Indictable Offences for purposes of section 316.

Section	Offence
<b>Offences against the person – homicide</b>	
19A	Murder
19B	Murder of a police officer
20	Murder of a Child born alive
21	Murder of a Child by the mother
22A	Infanticide
26	Conspiracy to murder
27-30	Attempted murder
31	Sending or delivering documents containing threats to murder or inflict bodily harm

Section	Offence
31C	Aiding, abetting or inciting suicide or attempted suicide
<b>Offences against the person – endangering life and causing bodily harm</b>	
33	Wounding, or causing grievous bodily harm with intent
35	Recklessly wounding or causing grievous bodily harm
35A	Recklessly causing a dog to inflict grievous bodily harm or actual bodily harm
37	Attempted strangulation, choking, or garrotting with intent to commit an indictable offence
38	Administering an intoxicating substance with intent to commit an indictable offence
39, 41	Poisoning recklessly or with intent
42	Causing grievous bodily harm to a Child at the time of birth recklessly or with intent
43	Abandoning or exposing a Child under 7 years causing a danger of death or serious injury
43A	Failing to exercise parental responsibility to care for a Child under 16 years causing a danger of death or serious injury
44	Failing to provide the necessities of life to another person when under a legal duty to do so causing a danger of death or serious injury
46	Causing grievous bodily harm through explosives, corrosive fluids, or destructive matter recklessly or with intent
47	Attempted grievous bodily harm through explosives, corrosive fluids, or destructive matter
55	Possessing or making explosives or other things with intent to injure
<b>Offences against the person – assault</b>	
59	Assault occasioning actual bodily harm
60E	Assault, harassment or intimidation of a school student or school staff member while attending school
60E(4)	Entering school premises with intent to commit an offence
<b>Offences against the person – sexual offences</b>	
61I	Sexual Assault
61J	Aggravated Sexual Assault
61JA	Aggravated Sexual Assault in company
61K	Assault with intent to have sexual intercourse
61L	Indecent assault
61M	Aggravated indecent assault
61O(1)	Committing or inciting an aggravated act of indecency with a person under 16 years
61O(2)	Committing or inciting an act of indecency with a person under 10 years
61O(2A)	Committing or inciting an act of indecency with a person under 16 years in the

Section	Offence
	knowledge that it is being filmed for the production of Child Abuse material
61P	Attempting the offences under 61I, 61J, 61JA, 61K, 61L, 61M, 61O(1), 61O(2) or 61O(2)A
66A	Sexual intercourse with a Child under 10 years
66B	Attempting sexual intercourse with a Child under 10 years, or assaulting with intent
66C	Sexual intercourse with a Child between 10 and 16
66D	Attempting sexual intercourse with a Child between 10 and 16, or assaulting with intent
66EA	Persistent sexual abuse of a Child
66EB(2)	Intentionally procuring a Child for unlawful sexual activity
66EB(2A)	Meeting or attempting to meet a Child with the intention of procuring the Child for unlawful sexual activity (Grooming)
66EB(3)	Exposing a Child to indecent material or providing an intoxicating substance for the purposes of procuring the Child for unlawful sexual activity (Grooming)
66F(2)	Sexual intercourse with a person who has a cognitive impairment for the care of whom the offender is responsible
66F(3)	Sexual intercourse with a person who has a cognitive impairment with the intention of taking advantage of that person's cognitive impairment
66F(4)	Attempting the offences under 66F(2) or 66F(3)
73(1)	Sexual intercourse with a Child between 16 and 18 under the special care of the offender
73(4)	Attempted sexual with a Child between 16 and 18 under the special care of the offender
78A	Incest
80A(2)	Sexual Assault by forced self-manipulation
80A(2A)	Aggravated Sexual Assault by forced self-manipulation
80D	Causing sexual servitude
80E	Conducting any business involving sexual servitude
80G	Inciting a sexual offence under 61I, 61J, 61JA, 61K, 61L, 61M, 66A, 66C, 66EA, 66F(2), 66F(3), 73(1), 78A, 79, 80A(2), 80A(2A), 80D, 80E, 91G or 91H
82	Abortion or attempted abortion by a woman with Child
83	Abortion or attempted abortion on a woman with Child
84	Procurement or supply of drugs, instruments, noxious things or other things knowing they are intended to induce an abortion
86	Kidnapping
87	Child abduction
91A	Procuring for prostitution

Section	Offence
91B	Procuring for prostitution using drugs, intoxicants, force, intimidation, abuse of authority or fraud
91D	Promoting or engaging in acts of Child prostitution
91E	Receiving a material benefit from an act of Child prostitution
91F	Exercising lawful control over premises used for Child prostitution
91G	Using, or consenting to the use of, a Child for the production of Child Abuse material
91H	Producing, disseminating or possessing Child Abuse material
91J(3)	Voyeurism in circumstances of aggravation
91K(3)	Filming a private act in circumstances of aggravation for voyeuristic purposes
91L(3)	Filming a person's private parts in circumstances of aggravation for voyeuristic purposes
92	Bigamy
93	Participating in bigamy
<b>Public order offences</b>	
93GA	Firing a firearm at a dwelling house or other building with reckless disregard for the safety of any person
93H(1)	Trespassing with a firearm, imitation firearm, spear gun, or imitation spear gun
93H(2)	Dangerous use of a firearm or spear gun
93I	Possessing an unregistered firearm in a public place
93K	Contaminating goods with intent to cause public alarm or economic loss
93L	Threatening to contaminate goods with intent to cause public alarm or economic loss
93M	Making false statements concerning contamination of goods with intent to cause public alarm or economic loss
93N	Committing an offence under 93K, 93L or 93M in connection with an unwarranted demand
93O	Committing an offence under 93K or 93L causing death or grievous bodily harm, or with intent to cause death or grievous bodily harm
93Q	Conveying false information that a person or property is in danger
93R	Leaving or sending an article with intent to cause alarm
93T	Knowingly participating in a criminal group and the criminal activities of a criminal group
93TA	Knowingly receiving a material benefit from the criminal activities of a criminal group
93V	Conducting an unlawful gambling operation
<b>Stealing – robbery</b>	
94	Robbery or stealing from the person
95	Aggravated robbery or stealing from the person

Section	Offence
96	Robbery with wounding
97	Robbery under arms or in company or stopping any mail, or vehicle, railway train, or person conveying a mail, with intent to rob
98	Robbery under arms with wounding
99	Demanding property with menaces or by force with intent to steal
<b>Stealing – house-breaking</b>	
109	Breaking out of a dwelling-house after committing, or entering with intent to commit, an indictable offence
111	Entering a dwelling house with intent to commit a serious indictable offence
112	Breaking and entering and committing a serious indictable offence
113	Breaking and entering with intent to commit a serious indictable offence
114	Being armed with intent to commit an indictable offence
<b>Stealing – larceny</b>	
117	Larceny
134	Stealing, embezzling, or for any fraudulent purpose destroying, cancelling, obliterating, or concealing, the whole or any part of any valuable security
135	Stealing, embezzling, or for any fraudulent purpose destroying, cancelling, obliterating, or concealing, the whole or any part of any will, codicil, or other testamentary instrument
138	Stealing, embezzling, or for any fraudulent purpose destroying, cancelling, obliterating, or concealing, the whole or any part of any record of any Court or public office
139	Stealing or damaging with intent to steal any fixture to a building or land
140	Stealing or damaging with intent to steal any tree or plant worth more than two dollars growing in any park, pleasure-ground, garden, orchard, avenue, or ground belonging to any dwelling-house, or any tree or plant worth more than ten dollars growing elsewhere
148	Stealing property in a dwelling house
149	Stealing property in a dwelling house with menaces
152	Stealing from a ship in port, or from any dock, wharf or quay
154	Stealing chattels and fixtures of a building whilst a tenant or occupier
154A	Taking a conveyance without the consent of the owner
154C	Taking a motor vehicle or vessel without the consent of the owner with assault or with an occupant on board
154D	Stealing firearms
154F	Stealing a motor vehicle or vessel
154G	Facilitating organised car or boat rebirthing activities

Section	Offence
154H	Unlawfully making, using, or interfering with unique identifiers of a motor vehicle or vessel
154I	Dishonestly possessing a motor vehicle or vessel or part thereof, a unique identifier of which has been interfered with
154J	Knowingly possessing a vehicle identification plate not attached to the motor vehicle to which it relates, without reasonable excuse
<b>Stealing – embezzlement and larceny</b>	
156	Larceny by clerks and servants
157	Embezzlement by clerks and servants
159	Larceny by persons in the Public Service
160	Embezzlement by persons in the Public Service
<b>Stealing – receiving</b>	
188	Receiving stolen property where the stealing is a serious indictable offence
189A	Receiving property stolen outside of New South Wales
<b>Fraud</b>	
192E	Fraud
192F	Intending to defraud by destroying or concealing accounting records
192G	Intending to defraud by false or misleading statement
192H	Intending to deceive members or creditors by false or misleading statement whilst an officer of an organisation
<b>Identity offences</b>	
192J	Dealing in identification information with the intention of committing, or of facilitating the commission of, an indictable offence
192K	Possession of identification information with the intention of committing, or of facilitating the commission of, an indictable offence
<b>Money laundering</b>	
193B	Money laundering
193D	Intentionally or recklessly dealing with property that subsequently becomes an instrument of crime
<b>Cheating at gambling</b>	
193N	Engaging in conduct that corrupts the betting outcome of an event
193O	Facilitating conducts that corrupts the betting outcome of an event
193P	Concealing conduct or an agreement about conduct that corrupts the betting outcome of an event
193Q	Knowingly or recklessly using corrupt conduct information or inside information for betting purposes



Section	Offence
<b>Criminal destruction and damage</b>	
195	Intentionally or recklessly destroying or damaging another person's property
196	Destroying or damaging property with intent to injure a person
197	Dishonestly destroying or damaging property with a view to making a gain
198	Destroying or damaging property with the intention of endangering life
199	Threatening to destroy or damage property
200	Possession of an explosive or other article with intent to destroy or damage property
203E	Intentionally causing a fire, reckless as to its spread to vegetation on any public or private land
<b>Corruption</b>	
249B	Receiving or soliciting a corrupt commission or reward
249C	Making misleading statements or using misleading documents whilst an agent with intent to defraud the principal
249D	Giving, receiving or soliciting corrupt inducements for advice
249E	Giving, receiving or soliciting corrupt benefits for trustees, executors, administrators, powers of attorney, and others
249F	Aiding, abetting, inciting, soliciting or procuring the commission of an offence under 249B, 249C, 249D or 249E
<b>Blackmail</b>	
249K	Making demands with menaces
<b>Forgery</b>	
253	Forgery
254	Knowingly using a forged document
255	Knowingly being in possession of a false document
256	Making, or being in possession of, equipment, material or other things designed or adapted for the making of forged documents
<b>Computer offences</b>	
308C	Unauthorised access, modification or impairment of a computer function with intent to commit serious indictable offence
308D	Unauthorised modification of data with intent to cause impairment
308E	Unauthorised impairment of electronic communication
<b>Terrorism</b>	
310J	Membership of a terrorist organisation
<b>Public justice offences</b>	
314	Knowingly making false accusations

Section	Offence
315	Hindering the investigation of a serious indictable offence
316	Concealing a serious indictable offence for gain
316A	Concealing a Child Abuse Offence
317	Tampering with evidence
319	Perverting the course of justice
327	Perjury
328	Perjury with intent to procure conviction or acquittal
330	False statement on oath not amounting to perjury
333	Subornation of perjury
335	False statements in evidence on commission
<b>Attempts</b>	
344A(2)	Attempting to commit a serious indictable offence
<b>Abettors and accessories</b>	
349(1)	Accessory after the fact to murder
349(2)	Accessory after the fact to robbery under arms or kidnapping
350	Accessory after the fact to any other serious indictable offence
351A	Recruiting a person to engage in criminal activity
351B	Aiding and abetting a serious indictable offence
<b>Miscellaneous</b>	
530	Serious animal cruelty

The following table sets out an additional offence under the *Crimes (Domestic and Personal Violence) Act 2007* (NSW) for which the penalty is 5 years imprisonment.

Section	Offence
13	Stalking or intimidation with intent to cause fear of physical or mental harm



## Registration – Parental Consent

Child's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

Parent/Guardian name/s: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Alternative Emergency Contact Name: \_\_\_\_\_

Relationship to child: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (h)(w)(m): \_\_\_\_\_

Other relevant information:

(Please mention any medical conditions, allergies, medications, special needs or dietary requirements)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I understand that this registration requires my child to follow directions and behave in a positive manner at all times.

I agree to my son/daughter taking part in the \_\_\_\_\_  
*Name of activity*

Activity based at \_\_\_\_\_  
*Location*

I agree for my son/daughter having their photograph taken and being shown in the \_\_\_\_\_ Church community.

I agree to the images being published in Parish or Diocesan websites or publications.

**When the session is finished: (please tick appropriate box)**

I will collect my child.

\_\_\_\_\_ will collect my child.

I am happy for \_\_\_\_\_ to make his/her own way home.

**Declaration**

In the event of an illness or accident, every effort will be made by the event leader to contact me. If for any reason this is not possible I agree to my son/daughter receiving medication as instructed and any emergency medical treatment as considered necessary by the medical authorities present.

Signed: \_\_\_\_\_ (Parent/Guardian)

Date: \_\_\_\_\_

## Guide to completing a risk assessment for activities involving children

Before you undertake any new activity with children and/or vulnerable adults, you must complete a risk assessment. The following are some example risks and controls to consider when completing a risk assessment for children.

Issue, activity or event	Risks	Possible controls to reduce the risk
General child protection issues	A person with a history of causing harm to children is supervising or given access to children	Ensure you follow <b>Flowchart: Screening of persons working with children</b>
	An employee, volunteer, contractor or religious appointee assaults, or engages in inappropriate behaviour with a child	<p>Ensure all persons working with children attend safeguarding training and read and sign the <b><i>Diocesan Code of Conduct</i></b> so that they understand appropriate behaviour with children and the consequences for assault or engaging in inappropriate behaviour with a child</p> <p>Ensure you follow the <b><i>Reportable Conduct Flowchart</i></b></p>
	An employee, volunteer, contractor or religious appointee becomes aware of a child protection matter and fails to action it appropriately	<p>Ensure refresher training is provided to all persons working with children, so that they are reminded of their obligations to report child protection concerns</p> <p>Schedule regular catch ups or debriefs with persons working with children, to provide them with an opportunity to raise issues they may not have raised initially</p> <p>Consider other tools, such as monthly emails regarding child protection issues, so that person working with children are reminded of their obligations to report child protection concerns</p> <p>Ensure to follow <b><i>Flowchart: Reporting a child who is at risk of significant harm to Department of Communities and Justice (DCJ)</i></b></p>
	Child may send inappropriate images or comments to other children on social media	<p>Ensure children are aware of rules for appropriate social media use</p> <p>Ensure each staff member reads and complies with <b><i>Guidance document: Use of technology and social media communicate with children</i></b></p>

Supervision generally	Children may be unsupervised at times	Consider the level of supervision appropriate for the particular activity and environment. It is likely to be appropriate that 2 or more supervisors are on duty so that breaks can be taken. Environments that involve hazards or where it is difficult to have line of sight to all children may require additional supervisors to be present.
	Toilets may be isolated or out of sight	Plan toilet breaks so children can go in groups with a supervisor
	Children may wander away	Ensure children understand they must stay with the group
	An employee, volunteer, contractor or religious appointee takes an inappropriate interest in a child	Ensure all persons working with children attend child protection training and read and sign the <b><i>Diocesan Code of Conduct</i></b> so that they understand appropriate professional boundaries
Children's wellbeing	Children may suffer allergic reaction	Ensure each child's parent or guardian has provided you with a list of their child's allergies Ensure that staff do not administer any medication to a child without their parent's or guardian's consent
	A child may feel isolated or lonely	Ensure activities are planned to be inclusive Introduce team building activities Actively monitor children to determine how they are responding
	A child may disclose that their parent physically abuses them	Ensure all persons working with children attend child protection training and understand the circumstances in which a child may be at risk of significant harm
Visiting performer, teacher or similar	The visitor has a history of causing harm to children	Ensure you follow <b><i>Flowchart: Screening of persons working with children</i></b> Ensure children are supervised by a member of staff at all times when they are in the presence of the visitor Ensure each child's parent or guardian gives their permission for their child to interact with the visitor Ensure you understand what activities or performance will be delivered by the visitor so you can form a view about whether they are appropriate
	Children are frightened of the visitor	Ensure a known member of staff is always present when children are in the presence of the visitor

		<p>Ensure each child's parent or guardian gives their permission for their child to interact with the visitor</p> <p>Ensure there is adequate space between the visitor and children</p> <p>Engage children in the planning of visitors</p>
Excursion to another site	Children may injure themselves on hazards	<p>Before the excursion, visit the site to ensure it is free of potential hazards, or that potential hazards can be avoided</p> <p>Ensure up to date medical and emergency contact forms for each child are available</p> <p>Ensure children are supervised at all times and kept away from potential hazards such as bodies of water, except where appropriate levels of supervision allow</p>
	Children may be exposed to sun or other outdoor risks	<p>Ensure that children wear sunscreen, hats and other coverage appropriate to the activity and climate</p> <p>Ensure children are supervised at all times</p>
	Children may run or wander away	<p>Ensure children understand they must stay with the group</p> <p>Have sufficient staff and other supervisors appropriate to the particular environment and risks</p>
	Strangers may behave inappropriately with children while travelling between places	<p>Ensure children are supervised at all times</p> <p>Ensure children understand they must stay with the group at all time</p> <p>Ensure children understand they must not talk to strangers</p>
Overnight trip	Children may get upset about being away from home	<p>Discuss with parents and/or guardians whether their children are ready for an overnight trip away</p> <p>Set a lower age limit for children to participate, ie no participants under 10 years of age</p>
	Adult and child could be alone together in sleeping quarters	<p>Ensure there are appropriate rules for sleeping arrangements, e.g. no adults in rooms with children or at least 2 adults in rooms with children</p>
	Children may fall ill or sustain an injury	<p>Ensure a properly stocked first aid kit is available</p> <p>Ensure at least one person supervising the children has appropriate first aid qualifications</p> <p>Ensure parents' or guardians' contact details are readily available</p>

		<p>Ensure that staff do not administer any medication to a child without their parent's or guardian's consent</p> <p>Emergency action procedures are up to date and available</p>
	Children may misbehave or leave their rooms during the night	<p>Ensure children understand they must stay in their rooms throughout the night</p> <p>Put appropriate supervisory measures in place</p>
	A volunteer, employee or religious appointee becomes intoxicated after children have gone to sleep	<p>Ensure each staff member reads and complies with <b>Fact sheet: Use of alcohol, tobacco and other drugs (Appendix 28)</b></p> <p>Ensure staff members read and sign the <b>Diocesan Code of Conduct</b> so that they understand their responsibilities when consuming alcohol</p> <p>Put appropriate strategies in place, e.g. it may be appropriate to have a "dry" cam</p>
Sporting and other physical activities	Inappropriate physical contact with children	Ensure staff members read and sign the <b>Diocesan Code of Conduct</b> so that they understand appropriate boundaries for physical contact with children
	A volunteer, employee or religious appointee picks on or uses degrading comments towards a child	Ensure all persons working with children attend child protection training and read and sign the <b>Diocesan Code of Conduct</b> so that they understand appropriate professional boundaries
	Children may start fighting with each other	<p>Ensure children understand they must keep their hands to themselves and be respectful and cooperative with others</p> <p>Develop strategies for discipline and punishment that are fair and effective</p> <p>Ensure all persons working with children attend child protection training and read and sign the <b>Code of Conduct</b> so that they understand appropriate boundaries for disciplining children</p>
	Children may sustain injuries from falling or other accidents	<p>Before commencing an activity with children, ensure the site is free of potential hazards, or that adequate supervision is in place to manage any hazards.</p> <p>Ensure a properly stocked first aid kit is available</p> <p>Ensure at least one person supervising the children has appropriate first aid qualifications</p> <p>Plan adequate staff ratio to supervise children</p> <p>Ensure parents contact details are taken on the outing</p>

## Guidance Document: Risk Assessment and Mitigation Strategies for Safe Environments

Undertaking effective risk assessments and developing mitigation strategies for parish activities involving children and young people are an important safeguarding strategy used to assist in creating child safe parish environments.

It is expected that all activities involving children and young people will be rigorously assessed using effective risk assessment and mitigation strategies by key personnel involved in the activity's development and implementation.

### Step 1

- Identify the activity and the risks: What could happen, how could it happen?

### Step 2

- Consequence/s of the risk: What could happen as a result of the risk?

### Step 3

- Mitigation Strategies: What mitigation strategies are already in place to minimise or control the risk and what further mitigation strategies could you put in place? Can the risks in fact be mitigated, and if not, should the relevant activity proceed?
- Completed Risk Assessment to be signed off by Parish Priest.

### Step 4

- Share and discuss the Risk Assessment and Mitigation Strategies with those involved in the activity, the workers (including Volunteers and parent helpers) and the children, for a safe and successful activity.

### Step 5

- Evaluate the process: Did the mitigation strategies work? Is there more we need to do to create a safe environment?
- Update your plan if improvements can be made for next time.





## Template: Risk Assessment For Parish Activities Involving Children

Name of Activity:	eg: Outdoor Liturgy Group (see examples below)			
Date of Activity:		Reoccurring Event (circle):	YES or NO	
<b>Risk Assessment Steps</b>				
Step 1	Identify the activity, then identify the risks: what could happen, how could it happen			
Step 2	Consequence/s of the risk: what could happen, how could it happen			
Step 3	Mitigate the risk: what mitigation strategies are in place to minimise or control the risk, what further controls could you put in place? Completed Risk Assessment to be signed off by Parish Priest			
Step 4	Share and discuss the Risk Assessment and Mitigation Strategies with those involved in the activity, including volunteers and parent helpers, and the children and young people			
Step 5	Evaluate the process: did it work, what more can be done to create a safe environment? Update your plan if improvements can be made for next time			
Plan prepared by:				
Name		Sign		Date
Plan approved by Parish Priest or Safeguarding Office:				
Name		Sign		Date
Emergency phone numbers for this activity	Name		Contact number/s	
<i>Please Note: Add or subtract the rows in the table below depending on how many risks you identify</i>				
Identify Risk(s)	Consequence of the Risk	Mitigation Strategies	Person/s responsible	
<i>e.g. sunburn</i>	<i>e.g. child unwell, sunstroke, burns, dehydration</i>	<ul style="list-style-type: none"> <li>Find shady area to sit if possible</li> <li>Ensure sunhats are worn, sunscreen and water provided</li> </ul>		
<i>e.g. unsecured exit/entry points</i>	<i>e.g. child goes missing, strangers have access</i>	<ul style="list-style-type: none"> <li>Find shady area to sit if possible</li> <li>Ensure sunhats are worn, sunscreen and water provided</li> </ul>		
1.				
2.				
3.				



## Template: Risk Assessment For Parish Activities Involving Children

4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
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19.			
20.			



# Mitigation Strategies for Parish Activities Involving Children

Name of Activity	Date of Activity			
<i>Insert the mitigation strategies individually, along with the person responsible for undertaking the mitigation strategy.                      ✓ Mark each strategy off when completed.</i>				
Mitigation Strategies Checklist	Person responsible	Completed	Date Completed	Initial
		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
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		<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		

## Diocese of Lismore Parish Safeguarding Self-Assessment and Continuous Improvement Action Plan

The Diocese of Lismore is wholly committed to ensuring the safety, well-being and dignity of all children, young people and vulnerable adults. The Diocese provides policy, guidelines, advice, training, and resource materials whilst working alongside its parishes to ensure safe parishes and communities for all those involved with the parish community.

This *Self-Assessment* and *Continuous Improvement Action Plan* (Action Plan) are tools that have been developed to assist parishes within the Diocese to continuously improve their safeguarding procedures. It is intended to support parishes in reviewing the safeguarding measures they currently have in place for child safe environments, and to identify further improvements that need to take place to ensure compliance with the Office of the Children's Guardian (OCG) 10 Child Safe Standards (CSS) and Catholic Professional Standards Ltd (CPSL) 10 National Catholic Safeguarding Standards (NCSS) Standards. It further aims to:

- Build and strengthen a culture of Safeguarding children and vulnerable people within the parishes of the Diocese of Lismore;
- Support and assist parishes within the Diocese to understand, implement and comply with the CSS and NCSS;
- Support and assist parishes within the Diocese to understand, implement and comply with legislative requirements, reporting obligations and the Diocesan policy and guidance documents;
- Identify potential risk of harm to children within the Diocesan parishes and strive for continuous improvement strategies to protect children, young people and vulnerable adults.

The CSS and NCSS are designed to ensure all entities have a child safe culture and practices that are in accordance with legislative requirements, community expectations and Gospel values. The aim is to achieve and maintain a genuine commitment to child safe culture and practice through incremental and continuous improvement over time.

### **Steps to complete the Self-Assessment and follow-up Action Plan**

**Step 1:** Complete the *Self-Assessment* by ticking on the appropriate column of each indicator and providing additional information as required.

**Step 2:** Where there is a 'No' or 'Working Towards' response to a question, this indicates a need to implement additional measures and should be transferred to the *Safeguarding Action Plan for Continuous Improvement*.

**Step 3:** Each parish is required to develop a *Safeguarding Action Plan for Continuous Improvement* for each church they are responsible for. The aim of this Plan is to help you identify areas within your parish that need improvement and to formulate actions and timelines to achieve this.

**Step 4:** Send the Self-Assessment and Continuous Improvement Plan to your Parish Priest for sign off.

**Step 5:** Return the signed Self-Assessment and Continuous Improvement Plan to the Safeguarding Office via [safeguarding@lismore.catholic.org.au](mailto:safeguarding@lismore.catholic.org.au) or post, Diocese of Lismore, Chancery, PO Box 1, Lismore, NSW, 2480.

**Attachment A** of this document provides a *Safeguarding Action Plan for Continuous Improvement* template for the parish. Please share your results and improvements with the parish staff prior to submitting the completed Self-Assessment to the Safeguarding Office.

<b>Name of Parish or Agency:</b>	
<b>Name of the Person completing the form:</b>	
<b>Date completed:</b>	

**DEFINITIONS** for the purpose of this assessment include:

<b><i>Church Authority</i></b> – means the Bishop of the Diocese or his Administrator from time to time.
<b><i>Leaders</i></b> – means all personnel who are responsible for important governance decisions within the Diocese and/or who lead and coordinate improvement initiatives.
<b><i>Worker</i></b> – means clergy, employees, board members, contractors volunteers, work experience students and trainees of the Diocese.

Indicators	Yes	No	Working Towards	Not Applicable	Description/Evidence: <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>	
<b>Standard 1: Child safety is embedded in organisational leadership, governance and culture</b> <i>Committed leadership, governance and culture</i>						
<b>Outcome: Organisations prioritise child safety in what they say and do.</b>						
<b>1.1</b>	Is the <i>Safeguarding Commitment Statement</i> available and on display?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocese of Lismore has provided the Diocesan Safeguarding Statement to all Parishes.
<b>1.2</b>	The entity has a Safeguarding Policy that is approved and endorsed by the Church Authority and/or relevant leadership body and is publicly available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocese of Lismore has produced the Diocesan Safeguarding Policy for Children, Young People and Vulnerable Adults.
<b>1.3</b>	The Church Authority and Leaders of the entity create and maintain a culture of safeguarding by promoting child safety, emphasising that child safeguarding is everyone's responsibility and actively monitoring compliance and risk management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocese of Lismore create and maintain a culture of safeguarding by (not limited to); <ul style="list-style-type: none"> <li>• Providing Safeguarding Training,</li> <li>• Providing Safeguarding resources for Parishes,</li> <li>• Undertaking risk assessments for Child activities,</li> <li>• Assisting, participating and completing the Self-Assessment tool and Continuous Improvement Plan.</li> </ul>

<b>1.4</b>	The entity appoints a Safeguarding Committee at the highest level of leadership for oversight.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocese of Lismore has a Diocesan Safeguarding Council which meets quarterly at the Bishop's Chancery discussing an existing agenda including risk areas of Education, Early Education.
<b>1.5</b>	The entity appoints and promotes the role of Safeguarding Coordinator(s) to oversee the implementation of safeguarding practices, protocols, policies and procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocese of Lismore has a Diocesan Safeguarding Office who extend their practices, protocols, policies and procedures to entities.
<b>1.6</b>	All personnel understand that child safeguarding is everyone's responsibility and are empowered to provide input on child safeguarding practices.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Has your staff attended mandatory Safeguarding Training?
<b>1.7</b>	Is safeguarding of children and young people a standing agenda item for your team meetings and Parish Council?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>1.8</b>	Are messages from the Safeguarding newsletter linked to the Parish Newsletter?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<b>1.9</b>	The Code of Conduct explicitly applies to all workers, contains expected standards of behaviour, is written in accessible language and communicated to all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocesan Code of Conduct has been distributed to all Parishes.
<b>1.10</b>	Has each parish 'Worker' received the Diocesan Code of Conduct and signed a copy indicating their understanding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Copy of signed Code of Conduct in personnel files
<b>1.11</b>	Do 'Workers' understand their obligations in reporting, sharing information and keeping records (in line with <i>Storing and Sharing Safeguarding Records protocol</i> )?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to the Diocesan Safeguarding Handbook – document 'Record Keeping and Sharing'.
<b>1.12</b>	Participation in events that promote child safety, e.g. National Child Protection Week, national Apology to Victims and Survivors of Institutional abuse, Safer Internet Day and other events that specifically promote child safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>1.13</b>	Work collaboratively with survivors of abuse – find out about what support advocacy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



	organisations can offer survivors of abuse.					
<b>Indicators</b>		<b>Yes</b>	<b>No</b>	<b>Working Towards</b>	<b>Not Applicable</b>	<b>Description/Evidence:</b> <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>
<b>Standard 2: Children participate in decisions affecting them and are taken seriously</b> <i>Children are safe, informed and participate</i>						
<b>Outcome: Children are encouraged to speak up and are believed.</b>						
<b>2.1</b>	In your Parish, do you openly display contact details for independent child advocacy services and child helpline telephone numbers, and explain their use to children?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2.2</b>	There are age and developmentally appropriate strategies to proactively, engage with children, seek their views, consult with children about decisions that affect them and what makes them feel safe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2.3</b>	Does the parish recognise and promote children's rights,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If yes, how does this happen?

	including their right to be safe from abuse and are informed of who they should contact if they have concerns.					
<b>2.4</b>	Do Parish 'Workers' listen to and consult with children of the parish?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If yes, how does this happen?
<b>2.5</b>	Personnel are attuned to the signs of harm and facilitate child-friendly ways for children to express views, participate in decision making and raise concerns.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2.6</b>	Creating and displaying artwork that supports child safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2.7</b>	Actively involve children and young people in worship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2.8</b>	Age appropriate sex education and personal safety resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Indicators	Yes	No	Working Towards	Not Applicable	Description/Evidence: <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>	
<b>Standard 3: Families and communities are informed and involved</b> <i>Partnering with families, carers and communities</i>						
<b>Outcome: Organisations actively engage with families and communities to support children.</b>						
<b>3.1</b>	Have you informed the congregation (including parents) of the <i>Safeguarding children, Young Persons and Vulnerable Adults Policy</i> - is this displayed in your Parish and have you informed parishioners where they can find a copy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> In the parish bulletin's, notice to parishioners etc.
<b>3.2</b>	Have you made families, carers and the community aware of who holds leadership roles within the parish and the roles they hold i.e. Parish Priest, Parish Council, Parish Business Manager and Finance Council?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.3</b>	Families, carer and communities have a say in policies and practices.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocesan Safeguarding Office is working towards engaging families and carers views on policies and practices.

3.4	Keeping children safe during faith community events.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Do you use the Risk Assessment for Child Activities?
<b>Indicators</b>		<b>Yes</b>	<b>No</b>	<b>Working Towards</b>	<b>Not Applicable</b>	<b>Description/Evidence:</b> <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>
<b>Standard 4: Equity is upheld and diverse needs are taken into account</b> <i>Equity is promoted and diversity is respected</i>						
<b>Outcome: Children are provided opportunities to participate to their full potential.</b>						
4.1	Do you actively consider the diverse needs of the children and vulnerable in your parish?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Through sacramental programs.
4.2	Child friendly material is available in accessible language and formats that promote inclusion and informs all children of the support and complaints processes available to them.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Safeguarding Office has produced child friendly material such as: <ul style="list-style-type: none"> <li>• <i>Someone will Listen to you card</i></li> <li>• <i>Rights and Responsibilities poster</i></li> </ul>
4.3	Culturally safe organisations for Aboriginal and Torres Strait Islander Children.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.4	Support LGBTIQ and young people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

4.5	Creating safe environments for children from CALD backgrounds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.6	Seek input from children with disability about the delivery of services and best processes to encourage them to speak up about concerns.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Indicators</b>		<b>Yes</b>	<b>No</b>	<b>Working Towards</b>	<b>Not Applicable</b>	<b>Description/Evidence:</b> <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>
<b>Standard 5: People working with children are suitable and supported</b> <i>Robust Human Resource Management</i>						
<b>Outcome: Organisations attract, recruit, supervise and support staff to keep children safe.</b>						
5.1	Does the Parish have safe recruitment practices in place for everyone engaged in ministry with children, young persons and vulnerable adults?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> a file for each person with paperwork showing their recruitment process, reference checks, employment or volunteer agreement. Advertising, interview questions, referee checks, screening emphasise child safety.
5.2	Positions are assessed for the expected level of contact with children and appropriate child safeguarding recruitment procedures are implemented.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

5.3	Position descriptions, selection criteria, referee checks and interview questions articulate that children are valued and respected and also the Diocesan Commitment to Safeguarding.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.4	Are child related questions as outlined in the <i>Safeguarding Children and Vulnerable Adult handbook</i> utilised in interviews?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.5	Have all Parish 'Workers' who are engaged in child-related roles, had a Working with Children Check (WWCC)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> WWCC number and verification on file.
5.6	Have WWCC numbers been verified by the Office of the Children's Guardian? Is there evidence in the parish to support the verification?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.7	Retain records of WWCC checks, Verifications, Bars or Interim bars.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<b>5.8</b>	Ongoing supervision and people management is focused on child safeguarding.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Annual performance reviews for personnel include child safeguarding?
<b>5.9</b>	Scheduled Induction programs that familiarise staff with relevant policy, protocols, procedures so they are equipped to work with children.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5.10</b>	Do you ensure that all visiting clergy use the Visiting Clergy Register?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Copy of register.
<b>5.11</b>	Has the Parish submitted the Visiting Clergy Register 6 monthly to the Chancery Office in January and June of this year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5.12</b>	Ongoing training, regular mandatory reporting, reportable conduct and safeguarding training.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Participation of 'Workers' in Diocesan training.
<b>5.13</b>	Personnel files for all 'Workers'	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	File with copies of appropriate forms, LOO, Identification documents, policy declarations, position descriptions, resume, applications ,referee checks etc.

Indicators		Yes	No	Working Towards	Not Applicable	Description/Evidence: <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>
<b>Standard 6: Processes to respond to complaints of child abuse (or other concerns) are child-focused</b> <i>Effective Complaint Management</i>						
<b>Outcome: Children are the priority when responding to complaints of abuse.</b>						
<b>6.1</b>	An effective Complaints Handling Policy and procedures which clearly outline the roles and responsibilities, approaches to dealing with different types of complaints, reporting obligations and record keeping requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> The Diocese of Lismore has implemented a Diocesan Complaints Handling Policy.
<b>6.2</b>	Complaints are taken seriously and responded to promptly and thoroughly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6.3</b>	A child focused complaint handling system that is understood by children, families, carers and personnel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocese Safeguarding Office is working on a child focus Complaints Handling Policy or Protocol.
<b>6.4</b>	Conduct risk assessments upon receiving complaints.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



6.5	The Complaints Handling Policy requires that on receipt of a complaint of child sexual abuse is plausible the 'Worker' be stood down from their role and/or ministry while the complaint is investigated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.6	Record keeping protocols are in place for complaint management and compliance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.7	Policies and procedures are in place for reporting concerns and complaints to relevant authorities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.8	Reporting, privacy and employment law obligations are met.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.9	Have you promoted, distributed and informed the congregation about the <i>Listening to You</i> card for raising concerns and feedback? Is the card readily available in your	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Parishioners have been advised via parish Bulletin and <i>Listening to You</i> cards in the church foyer

	Church for everyone to access?					
<b>6.10</b>	Are you appropriately documenting any concerns brought to your attention or complaints that have the potential to harm a child, and aware of how to escalate concerns?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> <i>Concern/Complaints Form</i> or <i>Incident Report Form</i> on file
<b>6.11</b>	Are all parish workers aware of, and understand, <i>Mandatory Reporting</i> and <i>Reportable Conduct</i> processes and procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6.12</b>	Promote a culture that encourages feedback including making complaints.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ensure 'Workers' know about the Whistle Blower protection in the Children's Guardian Act 2019. <u>Evidence:</u> Level 1 Safeguarding Training.
<b>Indicators</b>		<b>Yes</b>	<b>No</b>	<b>Working Towards</b>	<b>Not Applicable</b>	<b>Description/Evidence:</b> <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>
<b>Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe, through continual education and training</b> <i>Ongoing education and training</i>						
<b>Outcome: Organisations invest in building staff skills, abilities and confidence.</b>						
<b>7.1</b>	Have Priests of the Parish attended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> certificate of participation in Safeguarding Training

	Safeguarding Training Level 1, 2 and 3 or are they registered for training requirements?					
<b>7.2</b>	Parish and Agency 'Workers' attend safeguarding and topic training where relevant to their roles.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>7.3</b>	Have all Parish workers who are engaged in parish activities with children attended a Safeguarding Induction session?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> certificate of participation on personnel file, training register in the parish
<b>7.4</b>	Maintain records of participation in induction and all training sessions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>7.5</b>	'Workers' receive training to recognise the nature and indicators of child abuse, including harmful behaviour by a child towards another child.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Level 1 Safeguarding Training for recognising child abuse.
<b>7.6</b>	'Worker' receive training on how to effectively respond to child safeguarding risks,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Level 1 Safeguarding Training for recognising child abuse.

	disclosures and allegations of abuse.					
<b>7.7</b>	Be proactive in developing your child safety knowledge.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> ELearning – OCG
<b>Indicators</b>		<b>Yes</b>	<b>No</b>	<b>Working Towards</b>	<b>Not Applicable</b>	<b>Description/Evidence:</b> <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>
<b>Standard 8: Physical and online environments minimise the opportunity for abuse or other kinds of harm to occur</b> <i>Safe physical and online Requirements</i>						
<b>Outcome: Risks to children in physical and online environments are identified and minimised.</b>						
<b>8.2</b>	Have you completed a risk assessment and mitigation plan for all parish activities involving children in your parish?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Copies of Risk Assessments available for past activities (including risks posed by settings, activities and physical environments).
<b>8.2</b>	The online environment is used in accordance with the Code of Conduct and any other relevant policy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Diocesan Code of Conduct <u>Evidence:</u> Diocesan Social Media Policy
<b>8.3</b>	Do you follow the <i>Good Practice Guidelines</i> relating to photography/video recording outlined in the <i>Safeguarding Children and Vulnerable Adult handbook</i> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Indicators		Yes	No	Working Towards	Not Applicable	Description/Evidence: <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>
<b>Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved</b> <i>Continuous improvement</i>						
<b>Outcome: Organisations continuously improve their child safe practices.</b>						
9.1	Regular reviews and improves child safeguarding practices.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> Copies of Self-Assessment and Continuous Improvement plans on file.
9.2	Have you identified improvements and actions required from your previous Parish Safeguarding Continuous Improvement Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.3	Reports on findings of reviews are provided to personnel, children, families, carers and community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Diocese of Lismore does not make its reporting findings on Safeguarding available to all stakeholders.
9.4	Sharing knowledge, engage with other faith communities to share knowledge, experience and good practice and ask 'Workers', families and children for feedback.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Indicators		Yes	No	Working Towards	Not Applicable	Description/Evidence: <i>Please include details as to how this specific indicator is complied with, including any planned activity in progress or not yet implemented</i>
<b>Standard 10: Policies and procedures document how the organisation is child safe</b> <i>Policies and procedures support child safety</i>						
<b>Outcome: Policies and procedures are championed by leaders, localised, understood by staff and clearly communicated.</b>						
<b>10.1</b>	All policies and procedures are supported by leaders, distributed and clearly communicated to all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>10.2</b>	Are workers aware of, and understand, the <i>Safeguarding Children and Vulnerable Adult handbook</i> and its' resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>10.3</b>	Church Authority and Leaders champion and model compliance with policy and procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Evidence:</u> The Bishop, Vicar General and all Leaders of the Diocese of Lismore promote and enact all policies and procedures relevant to Safeguarding. Further the Bishop's Commitment Statement to Safeguarding has been distributed and supported by all Leaders.
<b>10.4</b>	Are you implementing best practise Safeguarding processes in your parish, using the resources available in the <i>Safeguarding Children and Vulnerable Adult handbook</i> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Appendix A

Parish Safeguarding Continuous Improvement Plan

Parish: .....

Self-Assessment Standard	Area for Improvement	Action required	By whom	Timeframe and close out


Signature of Parish Priest: .....

Date: .....



## Fact sheet: Behaviours to encourage and avoid

### Do's

Have another adult with you, or at least within line of sight, when you are with a child or young person

Ensure that activities that give rise to one-on-one child/adult encounter is conducted in a manner and space in clear view of other people

Always obtain the permission of a parent/guardian before using a child's name, image or other record in any report, website or other publication.

Avoid favouring individual children and young people and treat them all equally

Restrict the transportation of children and young people in your car and ensure another adult is present

Avoid offering to, or receiving gifts from individual children and young people

Remain removed from exclusive relationships with children and young people

### Don'ts

Do not touch a child in an inappropriate or unnecessary fashion. Do not touch breasts, buttocks or groin, and avoid behaviour which could be construed as sexual.

Any steps you take to manage disruptive or unsafe behaviour should not degrade or isolate a child. Corporal punishment is never acceptable.

Do not contact a child directly via social media or mobile phone.

Do not provide assistance of a personal nature that the child can manage for him or herself (such as using the toilet or changing clothes) except where the child's developmental level is such that he or she requires assistance. Ensure the presence of another adult in such circumstances.

Do not swear or use of offensive language within earshot of children.

Do not become involved in inappropriate conversation or enquiries of a sexual nature.

## Do's

If a child acts outside acceptable limits, use oral directions to manage their behaviour. Physical restraint should only be used as a last resort or in an emergency.

Set and maintain appropriate boundaries. Take care not to form inappropriate relationships with a child, for instance, by placing yourself in a position where a child may come to rely on you emotionally, or by attempting to act as a surrogate parent.

Take great care in organising and arranging activities that involve overnight stays, including ensuring adults have child protection training and a WWCC and appropriate supervision is in place

Always include parents or guardians or another adult in all communications once written consent has been obtained

## Don'ts

Do not enter changing rooms or toilets occupied by children when supervision is not required or appropriate.

When working with children and young people do not have in your possessions, or provide alcohol, drugs or prohibitive substance.

Do not take videos or photographs of children or young people during Parish events without written consent of the parent or caregiver of the child. All images must be used in accordance with the principles of the Privacy Act 1988 and the policies of the Diocese.

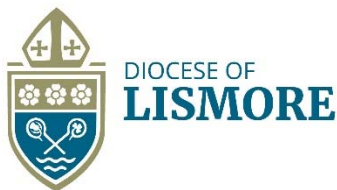
Do not communicate on an individual (one on one) basis via technology or social media (including mobile phone, text messages or email) with any child unless you have obtained the written consent of that child's parent or guardian



## Script for Use of Photography / Video Recording

This script is suggested for use in the planning stages of activities or during an activity in a parish that involves children if it is likely that photographs or videos will be taken.

*We understand that you may wish to make a photographic or video record of this celebration. In doing so, please exercise courtesy, sensitivity and common sense in relation to photographing children other than your own. We request that you confirm with other parents or carers before including them in your personal photographs. The images that you take should only be used as your record of this event. Where photos contain persons not from your own immediate family or friends these should not be shared in any public forums, such as social media.*



## Consent to film and photograph

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I.....give permission;

- to be photographed and/or recorded for photographic images and/or recordings to be used for publication and promotional purposes by the Diocese of Lismore including, but not limited to, print and electronic media (unless I have specified any exemptions below);
- my name and age as well as the audio and visual recordings (Recordings) may be reproduced and communicated by or on behalf of the Diocese of Lismore in connection with the Diocese of Lismore and the broader Catholic community in any media;
- all intellectual property rights, including copyright, in the Recordings are owned by the Diocese of Lismore (or its representatives) and any intellectual property rights that I may have in the Recordings are fully assigned to the Diocese of Lismore; and
- the Diocese of Lismore reserves the right to not use the Recordings.

Date: ..... Signed: .....

Event (if applicable): .....

**For children and young people under 18 years of age:**

I....., parent/legal guardian of .....

give permission for;

- my child/children to be photographed and/or recorded for photographic images and/or recordings to be used for publication and promotional purposes by the Diocese of Lismore including, but not limited to, print and electronic media (unless I have specified any exemptions below);
- my child/children's name and age as well as the audio and visual recordings (Recordings) of my child/children may be reproduced and communicated by or on behalf of the Diocese of Lismore in connection with the Diocese of Lismore and the broader Catholic community in any media;
- all intellectual property rights, including copyright, in the Recordings are owned by the Diocese of Lismore (or its representatives) and any intellectual property rights that my child/children may have in the Recordings are fully assigned to the Diocese of Lismore; and
- the Diocese of Lismore reserves the right to not use the Recordings.

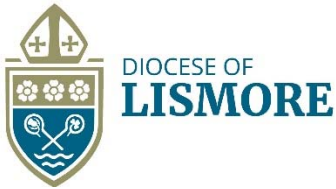
Date: ..... Signed: .....

Event (if applicable): .....

## Exemptions to consent:

Please do **not** share an image or recording in which I, or the child/children listed above, appear:

- On social media such as Facebook or Instagram
- On a website
- In a printed form such as a newsletter
- Other .....



## Diocesan Film and Photography Guidelines

Parishioners have long enjoyed photographing their children's progress and activities within parish life and at Church. It's equally as important that children and young people feel happy with their achievements and have photographs and films of their special moments. Today this often includes sharing the images online and on social media. When other children in the background are identifiable, there can be concerns if their parents/carers have not given permission and the images become public. Some parents and carers may have general privacy concerns about images of their children being posted without their consent, or in some cases, there can be very real legal and safety concerns which could put a child, or family concerned, at risk if an image is made public online.

### Privacy obligations

Under the Privacy Act, parishes must obtain consent from parents/carers before photographing or filming images of children for online use. Parishes with knowledge of personal information concerning children who cannot be identified publically for legal or other reasons generally may not disclose such information. The *Consent to Film and Photograph form* for parents and carers can be found within the Diocesan Social Networking Policy.

### What can Parishes do?

Discussion of respectful and safe photography practices can be integrated as part of parish life and activities.

It is important that parishes make it clear to all in attendance that taking a photograph can be construed as obtaining personal information and therefore should be treated as any other item of personal and confidential information. Attendees are to be encouraged to use sensitivity when taking photographs and to confirm with the parents of children other than their own that they are comfortable to have their child included in photographs taken by someone other than their own family members. A similar courtesy should also be extended to adults who may be included in the photographs.

Additionally, where a parish considers it appropriate, it may restrict photography on its premises by setting conditions of entry. Where such restrictions are used they should be clear, tailored, publicised and capable of enforcement. For example, there may be a general parish policy in regard to sacraments that says '*No photography or recording is permitted during sacraments without the express permission of the parish priest or administrator*' may be promulgated. When restriction is notified, failure to comply may result in exclusion from parish premises or activities.

### Good practice guidelines

Workers are encouraged to observe the following practice guidelines, which have been adopted to keep children, young people and the community safe, and to ensure respectful practices concerning the use of photography/video recordings. The guidelines are to be read in conjunction with the Diocesan *Social Networking Policy*.

Because the safety and wellbeing of children must be our first priority, if a parent or guardian indicates they do not wish their child to be filmed or photographed, or a child indicates he or she does not wish to be filmed or photographed, this request must be respected.

Where children and young people are involved:

- For photography or recording images of children for use by the parish, permission must be sought, signed off by parents/carers, and kept on file. The *Consent to Film and Photograph form* for parents and carers can be found within the Diocesan Social Networking Policy;
- It is advisable that images be taken by accredited persons who wear identification at all times;
- Affirm for adults present that photographs are to be taken only for the purpose of the event/ritual and that Privacy Laws include the protection of images as well as written documents;
- All photographs should be taken in a public setting;
- All children and young people must be appropriately dressed when photographed or recorded;
- Only take and use film and photographs that are relevant to parish or Diocese of Lismore activities;
- Images should be carefully stored with consent attached or cross-referenced. Names, dates and other contextual information should also be stored;
- Images should only be passed onto third parties for their use where this has been agreed as part of the consent process;
- Children and young people whose identity may require protection should not be photographed or recorded;
- Should photographs of children or young people be displayed, their names will not be included without consent;
- Film and photographs should only be displayed or published in the context of official parish or Diocese of Lismore related activities or platforms and should not be disseminated more broadly. For example, you must not publish a film or photograph of a child taken at a parish or Diocese of Lismore related activity on your personal social media account;
- If you intend to reproduce the film or photograph on social media, you must adhere to the *Diocesan Social Networking Policy*;
- If the film or photograph is published on social media, it is best practice not to 'tag' a child or young person's social media account; and
- Provide details for parents or other persons on who to contact if they have concerns about the use of a particular film or photograph. If you receive a request to remove an image, you must do so immediately.

## Fact Sheet: Use of technology and social media to communicate with children

Be respectful, transparent and responsible when using technology to communicate with children, young people and vulnerable adults. All communication between children and Parish workers, by whatever method, should take place within clear and explicit boundaries and be open to scrutiny.

### Do:

- Where possible, ensure communications with children are via face to face discussions, group communications and other means which are open and transparent;
- Be respectful, polite and considerate;
- Communicate in a way that is consistent with your role at the Parish or agency;
- Identify yourself in your communication and use your own name;
- Respect the privacy of others and ensure that no information is communicated or published that should not be made public.

### Notify inappropriate behaviour

You should immediately contact your Parish Priest (or Administrator), agency head or Safeguarding Office if:

- Any inappropriate comments or images are directed to you by a child;
- You become aware of inappropriate comments or images being exchanged between children;
- You become aware that another employee, volunteer, or religious appointee has broken a rule contained in this document; or
- You become aware of any conduct via technology or social media that is reportable to NSW Police or the Department of Communities and Justice (DCJ).

### Don't:

- Communicate on an individual (one on one) basis via technology or social media (including mobile phone, text messages or email) with any child **unless** you have obtained the **written consent** of that child's parent or guardian;
- Invite or accept invitation to connect from children you have met through the Diocese on your personal social media site, e.g. your personal Facebook page;
- Interact with children on your personal social media site in any way;
- Use derogatory terms or offensive language
- Communicate in a way that undermines your role at the Parish or agency;
- Hide your identity or use a false identity in communications with children;
- Use inappropriate languages and images, e.g. material that is harassing, defamatory, bullying, threatening, sexually explicit, obscene, profane, illegal or otherwise offensive;
- Send and receive images of a particular child or children in individual (one on one) communications with a child **even if** there is written consent from that child's parent or guardian to communicate with them.



## FACT SHEET: Use of alcohol, tobacco and other drugs

The Diocese has high expectations of employees, volunteers and religious appointees in relation to the provision of alcohol, tobacco and other drugs to children and the use of those substances in the presence of children.

All employees, volunteers and religious appointees at Parishes and agencies must follow these guidelines when it comes to alcohol, tobacco and other drugs.

### Alcohol

- Communion wine is only to be provided to a child by a Priest or other Minister administering Holy Communion with the authorisation of, or in the presence of, the child's parent or guardian within a Parish setting;
- Alcohol is not to be provided or supplied to a child at any other time;
- No person who is supervising children or involved in any activity with children should consume or be under the influence of alcohol.

### Tobacco

- Tobacco is not to be provided or supplied to a child under any circumstances.
- No person who is supervising children or involved in any activity with children should smoke tobacco.

### Illicit drugs

- Illicit drugs are not to be provided or supplied to a child under any circumstances.
- No person who is supervising children or involved in any activity with children should consume or be under the influence of illicit drugs.

### Medication

- Medication should not be given to children without written instructions from a parent or guardian, unless a doctor or paramedic administers it in an emergency.
- You should be aware that some prescription medication may adversely affect a person's capacity to effectively supervise children and keep them safe.